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Introduction

1. The Government of Ireland is pleased to present its Common Core Document, forming part of its reports under the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC), the International Convention on the Elimination of all Forms of Racial Discrimination (CERD), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

2. In preparing this Common Core Document, Ireland has followed the harmonized guidelines issued by the Office of the United Nations High Commissioner for Human Rights (OHCHR), revised in June 2009 (HRI/GEN/2/Rev.6). The Common Core Document includes a broad range of information relevant to all or several of the treaty bodies and reduces the amount of duplicated material and the overall length of the reports. The information provided is correct as of the preparation of this document, which took place over a period of months in 2013. As a result, the data presented here represent a snapshot of the situation in Ireland, as distinct from a comprehensive or fully current account.

3. The Common Core Document was prepared by the Department of Foreign Affairs and Trade, which is responsible for coordinating Ireland's reports under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Input has been received from the Department of Justice and Equality, which is responsible for drafting Ireland's reports under the Convention on the Elimination of All forms of Discrimination Against Women and the International Convention on the Elimination of Racial Discrimination; and the Department for Child and Youth Affairs, which is responsible for the Reports under the Convention on the Rights of the Child. Further input and assistance has been received from the Department of Education and Skills; the Department of Finance; the Department of Public Expenditure and Reform; the Department of Defence; the Department of Environment, Community and Local Government; Department of the Taoiseach; Department of Social Protection; and the Department of Jobs, Enterprise and Innovation, and the Central Statistics Office.

4. The Government of Ireland recognizes and appreciates the important role played by non-governmental organizations (NGOs) in promoting and implementing the rights set out in the treaties.

I. General information about the reporting state

A. Demographic, economic, social and cultural characteristics of the State

5. The island of Ireland is situated in the northwest of the continent of Europe and has a total area of 84,421 square kilometres. The country is historically divided into four provinces, each roughly equivalent to the four primary points of the compass, i.e. Ulster (North), Munster (South), Connacht (West) and Leinster (East). Pursuant to Article 3 of Bunreacht na hÉireann (the Constitution of Ireland), the laws enacted by the Oireachtas (Irish Parliament)[1] apply to 26 of the 32 counties of the island of Ireland. The remaining

[1] Please see para. 37 for a detailed description of the composition of the Oireachtas.

north-eastern counties form part of the United Kingdom of Great Britain and Northern Ireland. Article 3 further provides that a united (32 county) Ireland shall be only brought about by peaceful means with the consent of the people, democratically expressed, in both jurisdictions in the island. Pursuant to Article 4 of the Constitution, the name of the State is "Éire", or, in the English language, "Ireland".

6. In 1921, after a War of Independence, a treaty was entered into with the United Kingdom, whereby the Irish Free State (26 counties) seceded from the United Kingdom of Great Britain and Ireland, while Northern Ireland (6 counties) remained in the United Kingdom. The adoption of the Constitution of Ireland in 1937 and the Republic of Ireland Act 1948 severed Ireland's last symbolic links with the United Kingdom. Ireland does not belong to any military alliance. Ireland became a member of the United Nations in 1955 and joined the European Communities, now the European Union, in 1973.

The Economy

7. Following strong growth in the 1990s, the Irish economy, from 2000 onwards, began to lose competiveness, resulting in a shifting of growth away from exports towards more unstable domestic demand sources such as construction. The resulting "construction boom" led to the accumulation of imbalances within the Irish economy, which left it highly exposed to the "Great Recession", the rapid global downturn of 2008 and 2009.

8. The collapse of global economies, together with the loss of domestic competitiveness exacerbated by euro appreciation during the turbulence, had a detrimental impact on most of the exporting sectors. Housing output, which had already begun to decline, fell sharply as the demand for housing waned. A dramatic fall in consumer confidence resulted in unprecedented decline in personal consumption. Against this backdrop, real Gross Domestic Product (GDP) recorded annual contractions in 2008, 2009 and 2010, resulting in a peak-to-trough decline of 10.7 per cent (Q4 2007 to Q4 2009), before returning to 1.4 per cent growth in 2011. This was brought about by strong export performance resulting from a rapid improvement in Ireland's competitiveness. A second consecutive year of growth was recorded in 2012, with preliminary figures from the Central Statistics Office (CSO) showing growth of 0.9 per cent.

9. Ireland has successfully exited its EU-IMF programme of financial support. The economy is recovering, the public finances are under control, the banking system is restructured and well capitalized and, most importantly, jobs are being created. Significant challenges remain, and to this end, in December 2013 the Government launched the Medium Term Economic Strategy for the period 2014-2020.

10. Unemployment (unadjusted rate) has increased considerably in the past number of years from 4.1 per cent in the fourth quarter of 2006 to 13.7 per cent in the corresponding quarter of 2012, with long term unemployment increasing from 1.3 per cent to 8.2 per cent over the same period.

Demographic Trends

11. The *de facto* population of Ireland in 2011 is 4,588,252; a substantial growth over the last decade, with the total figure increasing by approximately 671,049 or 17.1 per cent between 2002 and 2011. During the same period, the number of children aged less than 18 years grew from 1,013,031 to 1,148,687, an increase of approximately 13.4 per cent. Although the proportion of the Irish population aged under 18 years fell dramatically between 1981 (36.2 per cent) and 2002 (25.9 per cent), it has since remained stable, and by 2011, children represented 25 per cent of the total population. The youth dependency ratio (the proportion of those aged from birth to fourteen years to the total working-age population) was 31.9 per cent in 2011, up from 29.7 per cent in 2006.

12. According to the Central Statistics Office (CSO) report *Measuring Ireland's Progress 2011*, Irish women had the highest total period fertility rate in the EU at 2.07 in 2010, up from 1.94 in 2006. The number of births in Ireland has also increased over the past decade by 29 per cent, rising from 57,854 in 2001 to 74,650 in 2011. Ireland's birth rate in 2012 was .8 per 1,000 of the population (based on 2012 provisional registered data). The most recent available data on maternal mortality rate are from 2010, which registered one per total live and stillbirths.

13. The population of Ireland is aging. According to the CSO publication *Older and Younger*, the number of individuals aged 65 years and over rose from 467,926 in 2006 to 535,393 in 2011, an increase of 14.4 per cent. Older people now comprise 11.7 per cent of the population, compared to 11 per cent in 2006. The old dependency rate in 2011 was 17.4 per cent, compared to 16.1 per cent in 2006.

14. Ireland's death rate in 2012 was 6.3 per 1,000 of the population (based on 2012 provisional registered data).

15. The most recent available figures on life expectancy in Ireland at age 0 are: 76.8 for males, 81.6 for females.

16. The population structure of Ireland has also been affected in recent years by a reversal in migration trends from a position of positive to negative net migration. In 2006, net migration stood at 71,800 persons, but by 2012 this had changed to minus 34,400 persons. CSO estimates for 2012 indicate that negative net migration for the working age population (those between fifteen and 65 years) was 36,600.

17. These demographic trends will place increasing demands on public supports and services.

18. Between the 2002 and the 2006 Census of Population, the non-Irish national population increased from 224,261 to 419,733 persons (an 87 per cent increase). Between the 2006 and 2011 Census of Population, the non-Irish national population increased from 419,733 to 544,357 persons (a 29.7 per cent increase).

19. From 1991 to 2011 the non-Catholic population significantly increased, driven by growing numbers with no religion as well as increases in the religions of immigrants from Eastern Europe, Africa and Asia. The proportion of the population who were Catholics continued to decline in 2011, to reach its lowest point at 84.2 per cent while its congregation, at 3.86 million strong, was the highest since records began.

20. Of the 3.8 million Catholics in Ireland in 2011, 92 per cent were Irish while the remaining 8 per cent belonged to a range of nationalities. Among the non-Irish, Poles were the biggest group with 110,410 persons, followed by the United Kingdom with 49,761 and between them they accounted for over half of all non-Irish Catholics.

Religion	*Census 2011*
Catholic	3,860,000
No religion/atheist/agnostic	277,237
Church of Ireland	129,039
Muslim	49,204
Orthodox Christian	45,223
Presbyterian	24,600
Apostolic & Pentecostal members	14,043
Hindu	10,688
Buddhist	8,703

Religion	*Census 2011*
Methodist	6,842
Jehovah's Witness	6,149
Lutheran	5,683
Evangelical	4,188
Baptist	3,531
Jewish	1,984

21. The total of those with no religion, atheists and agnostics increased more than four-fold between 1991 and 2011 to stand at 277,237 in 2011. This group included 14,769 primary school aged children and 14,478 of secondary school age. There were 4,690 children aged under one year who had no religion.

22. There were 129,039 members of the Church of Ireland in April 2011, an increase of 6.4 per cent on 2006. This included 13,667 primary school aged children and 8,809 of secondary school age.

23. There were 49,204 Muslims in Ireland in April 2011, a sharp rise on five years previously. Ireland's Muslim population included 8,322 primary school aged children and 3,582 of secondary school age. Since 1991, the number of Muslims increased from just 0.1 to 1.1 per cent of the total population.

24. There were 45,223 Orthodox Christians in Ireland in April 2011; more than double the number five years earlier (20,798) and more than four times the number recorded in 2002 (10,437).

25. The number of Presbyterians in Ireland in April 2011 stood at 24,600, up marginally on 2006 and continuing a pattern of increasing numbers since 2002 following long periods of decline up to 1991.

26. The Apostolic and Pentecostal members in Ireland numbered 8,116 in 2006 and 14,043 in 2011. Over 60 per cent (8,486) had African ethnicity in 2011 while 18.1 per cent (2,546) indicated their ethnicity as "Any other White background".

27. Census 2011 shows that there were 10,688 Hindus in Ireland in 2011, showing a tenfold increase since 1991.

28. The GDP growth rate was 1.4 per cent in 2011, according to the CSO report *Measuring Ireland's Progress 2011*. The public balance deficit was 13.1 per cent of GDP in 2011, the largest of any EU member State but a significant improvement on 2010 when it was 31.2 per cent. Government debt increased substantially to 108.2 per cent of GDP in 2011, the third highest debt/GDP ratio in the EU, having been only 24.8 per cent four years previously. Nonetheless, in 2011 Ireland had the fourth highest GDP per capita in the EU at 27 per cent above the EU average, although, based on Gross National Income (GNI) Ireland was the eleventh highest at 2 per cent above the EU average.

29. Inflation in Ireland (as measured by the Harmonised Index of Consumer Prices, HICP) over the period 2007-2011 was the lowest in the EU but Ireland had the fifth highest price levels in the EU in 2011 with prices 17 per cent above the EU average. The employment rate (for those aged 15-64) rose from 65.2 per cent in 2002 to 69.2 per cent in 2007, but fell to 59.1 per cent in 2012, when it was below the EU average.

30. In 2012, 49.2 per cent of the population aged 25-34 had completed third level education, the third highest rate in the EU. The proportion of those aged 18-24 who left school with at most lower secondary education was 9.7 per cent in 2012.

31. Adults in Ireland have an adjusted mean score of 266 on the literacy scale (1-500) compared to the study average of 270. Literacy proficiency was split into five levels and adults in Ireland proportioned as follows:

(a) At or below level 1 (1-225) = 17.9 per cent;

(b) Level 2 (226-275) = 37.6 per cent;

(c) Level 3 (276-325) = 36 per cent;

(d) Level 4 (326-375) = 8.1 per cent;

(e) Level 5 (376-500) = 0.4 per cent.

32. The number of dwelling units built increased sharply to peak at almost 90,000 in 2006 before collapsing to 10,480 in 2011, below the level in 1970. Ireland's greenhouse gas emissions were at 110 per cent of 1990 levels in 2010, which was lower than the Kyoto 2008-2012 target (by three percentage points). Over half of municipal waste (52.5 per cent) was land filled, higher than the EU average of 37.1 per cent.

33. For a fuller range of statistical materials on demographic, economic, social, and cultural trends in Ireland, please refer to the statistical annexes to this document and further to the material compiled by the CSO which is publicly available on its website, www.cso.ie.

B. Constitutional, political and legal structure of the State

The Constitution of Ireland (Bunreacht na hÉireann)

34. The Constitution of Ireland (or, in the Irish language, Bunreacht na hÉireann) is the basic law of the State. It was adopted by referendum in 1937 and is the successor to the 1919 Constitution of Dáil Éireann (the House of Representatives) and the 1922 Constitution of the Irish Free State. It establishes the institutions and apparatus of the State and provides for the separation of powers into three branches – executive, legislative and judicial. The Constitution defines the powers of the President, the Oireachtas and the Government as well as the structure and powers of the courts. It states that all legislative, executive and judicial powers of Government are derived from the people. The Constitution also guarantees citizens fundamental rights which have been subjected to rigorous interpretation and enumeration by the courts.

35. The Constitution of Ireland can be amended only following the passage of a bill to amend the Constitution by a simple majority of both Houses of the Oireachtas and the subsequent approval of the proposal by a majority of those voting in a referendum. The Constitution has been amended on 25 occasions by means of referendum. The Constitution provides that the Oireachtas shall not enact any law which is in any respect repugnant to its provisions. Any legislation which is enacted and which is found to be repugnant to the Constitution shall be invalid to the extent of such inconsistency. Only the High Court and Supreme Court have jurisdiction to consider the question of the validity of any law with regard to the provisions of the Constitution. Judicial review is one mechanism whereby an individual can challenge the constitutionality of legislation and this remedy is explained in greater detail below (see paras 88–90).

36. The conclusion of the Good Friday Agreement – an integral part of the peace process in Northern Ireland – necessitated a constitutional amendment. On 2 December

1999, the British-Irish Agreement (the international agreement in which the Government pledged itself to give full effect to the Good Friday Agreement) entered into force, and the amendments to the Constitution, endorsed by the people in the referendums of 22 May 1998, took effect. On the same date, political institutions established under the Agreement - an Assembly and Executive in Northern Ireland, a North/South Ministerial Council, a British-Irish Council and a British-Irish Intergovernmental Conference - came into being. The amendment to the constitution replaced Articles 2 and 3.1 (dealing with Irish nationality and citizenship rights and reflecting a new accommodation regarding the special position of Northern Ireland, based on the principle of consent). The amended text is as follows:

> Article 2
>
> It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish nation. That is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland. Furthermore, the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage.
>
> Article 3
>
> 1. It is the firm will of the Irish nation, in harmony and friendship, to unite all the people who share the territory of the island of Ireland, in all the diversity of their identities and traditions, recognizing that a united Ireland shall be brought about only by peaceful means with the consent of a majority of the people, democratically expressed, in both jurisdictions in the island. Until then, the laws enacted by the Parliament established by this constitution shall have the like area and extent of application as the laws enacted by the Parliament that existed immediately before the coming into operation of this Constitution.

The Government of Ireland

37. Ireland is a sovereign, independent parliamentary democracy. The national Parliament, the Oireachtas, consists of the President and two Houses: a House of Representatives (Dáil Éireann) and a Senate (Seanad Éireann). The functions and powers of the President, Dáil and Seanad derive from the Constitution of Ireland and law. The Oireachtas may not enact any law which is in any respect repugnant to the Constitution.

38. The President is Head of State; the office does not have executive functions. The President must generally act on the advice and authority of the Government. On the nomination of Dáil Éireann the President appoints the Taoiseach (Prime Minister) and, on the advice of the Taoiseach and with the prior approval of Dáil Éireann, the President appoints members of the Government. Government policy and administration may be examined and criticized in both Houses, but under the Constitution the Government is responsible to the Dáil alone. The President may not serve more than two terms in office.

39. Dáil Éireann (House of Representatives) has 166 members called Teachtaí Dála ("T.D.s"). Members are returned by the 43 constituencies into which the State is at present divided and no constituency may return fewer than three members. The total number of members of the Dáil may not be fixed at less than one member for each 30,000 of the population or more than one member for each 20,000 of the population. The recently enacted Electoral (Amendment) (Dáil Constituencies) Act 2013 provides for a reduction in the number of members of the Dáil to 158 and for a reduction in the number of constituencies to 40. The new arrangements will take effect from the next General Election. The Electoral (Amendment) (Political Funding) Act 2012 includes a provision that political parties will face a cut of half their State political funding if they do not have at least 30 per cent women and 30 per cent men candidates at the next General Election. This will then rise

to 40 per cent after a further 7 years. Payments made to political parties under the Electoral Acts are linked to performance at a general election.

40. The Government consists of not more than 15 members and not fewer than seven, *i.e.* Taoiseach (Prime Minister), Tánaiste (Deputy Prime Minister) and between five and 13 Ministers. The Taoiseach, Tánaiste and Minister for Finance must be members of the Dáil and the other Ministers must be members of the Dáil or Seanad, with no more than two being members of the Seanad. The Government acts as a collective authority and is collectively responsible for the Departments of State administered by its members. It generally meets once a week. Discussions at meetings of the Government are subject to cabinet confidentiality. At the time of a general election, the Government remains in place until a new Taoiseach has been appointed.

41. Seanad Éireann (Senate) has 60 members. Eleven are nominated directly to the House by the Taoiseach. Forty-three are elected by members of Dáil Éireann, by outgoing members of the Seanad, and by county and borough Council members, from five panels of candidates: the Cultural and Educational Panel, the Agricultural Panel, the Labour Panel, the Industrial and Commercial Panel and the Administrative Panel. Each panel contains the names of persons with knowledge and practical experience of the interests represented by the panel. The remaining six are elected by the graduates of universities - three by the National University of Ireland and three by the University of Dublin. The powers of the Seanad, as defined by the Constitution are, in general, less than those of the Dáil. Its powers are complementary to those of the Dáil in broad areas such as the removal from office of a President or a judge; the declaration and termination of a state of emergency; the initiation of Bills other than Money Bills; and the annulment of statutory instruments. Seanad Éireann has no power to initiate Money Bills although it can make recommendations to Dáil Éireann in respect of such Bills.

42. There is a system of Parliamentary Committees in operation within the Oireachtas. Under standing orders four committees must be appointed, on Selection, on Public Accounts, on Procedure and Privileges and on Consolidation Bills. Other committees may be established by a resolution of one or both of the Houses of the Oireachtas. They are empowered to request official papers and to hear evidence from individuals. Their findings are not binding. The reports of the Committees are laid before the Oireachtas which decides what action, if any, is necessary. It is a matter for the Oireachtas to decide upon the number and range of Committees which should be established, together with their terms of reference.

The Electoral System

43. Citizens have the opportunity to take part in the political process by casting a vote in five decision-making procedures:

(a) The election of the President every seven years, where there is more than one candidate;

(b) Referenda on proposed constitutional amendments;

(c) Elections to local authorities, every five years;

(d) Parliamentary elections, which occur under present legislation at least every five years;

(e) Elections to the European Parliament, every five years.

44. The minimum voting age in Ireland is 18 years. The electoral system in elections to the Dáil is proportional representation by means of the single transferable vote in multi-seat constituencies. The single transferable vote is also used for the election of the President,

Members of the European Parliament, Local Authorities, and 49 of the 60 members of the Seanad.

The Civil Service

45. The legal basis for the present Irish system of public administration is contained in the Irish Constitution and in the Ministers and Secretaries Act 1924 (The 1924 Act). In accordance with Article 28 of the Constitution Ministers are in charge of their Departments. The 1924 Act, and its subsequent amendments, provides a statutory classification of the functions of Government under the various Departments of State. Ministers are responsible for all the actions of their Departments. However, the Supreme Court of Ireland has confirmed that the Carltona doctrine applies to the Irish civil service i.e. the official acts of a civil servant are identified as acts of the Minister of the relevant department even where no express act of delegation has taken place. The day-to-day administration of a Department's functions is overseen by its Secretary General, who is a civil servant. The Public Service Management Act 1997 (the 1997 Act) gives a statutory framework for the allocation of authority, responsibility and accountability within and across Government Departments.

46. The Civil Service is impartial vis-à-vis political parties in the performance of its functions and senior and middle ranking civil servants are precluded from involvement in party political activity. Recruitment to the Civil Service is by open public competition administered by an independent State commission. The Civil Service comprises a number of grades with different functions. The principal grade categories are: administrative, responsible for policy formulation; technical and scientific, providing specialist advice within the Civil Service; executive, involved in the implementation of policy; and clerical, responsible for general duties. At present there are approximately 35,000 people employed in the Civil Service. In addition Ministers may appoint Special Advisors in accordance with provisions set out in the 1997 Act.

Local government

47. Local government is administered by 114 local authorities funded through a combination of State grants, commercial rates, charges for goods and services and by a local tax on residential properties. Local authorities are multi-purpose bodies responsible for an extensive range of services including land use (zoning) and development, fire safety and fire and emergency services, the provision of public housing, road maintenance, supports for local economic and community development, libraries, and certain other services.

48. The Local Government Reform Act 2014 provides for a wide-ranging programme of local government reform involving action to strengthen and improve the structures, functions, resources, operations and governance of the local system.

49. The programme has a particular focus on strengthening structures at regional, county and sub-county levels; expanding the role of local government; maximizing operational and organizational efficiency; improving governance, oversight, local political and executive leadership; leading economic, social and community development; and representing citizens and local communities effectively and accountably. The number of local authorities will be reduced to 31 (i.e. County and City Councils) following local elections to be held in May 2014, with each county configured into Municipal Districts based around principal towns and their hinterlands. There will be a single county wide executive or operational structure with resources at the disposal of both county and district levels and a significant range of functions will be performed by elected members at district level, with strategic matters dealt with at county level. Regional structures are being rationalized from eight

Regional Authorities and two Regional Assemblies currently, with their key role being strategic planning and oversight.

50. Reform proposals include a significantly increased role for local government in local and community development programmes in the context of alignment of the local development sector with the local government sector. Such an enhanced role for oversight by local government in this area is consistent with its objective of promoting the well-being and quality of life of citizens and communities. Local government will be positioned to work with local entities and communities, as well as with the structures of central government, to bring greater coherence, efficiency, effectiveness and better governance to local development programmes and activities.

The Administration of Justice

An Garda Síochána (National Police Force)

51. Ireland has a single national police service, An Garda Síochána. Currently the strength of An Garda Síochána is 13,330. In addition there are 1087 Garda Reserves operational with a further 173 in training.

52. Policing levels are determined by a number of variables including demographics, policing plans/models, the needs of the service and the security of the State. As such the minimum numbers required in future years will remain an indeterminate variable. Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public. An Garda Síochána has responsibility for Policing and State Security. This responsibility is contained under section 7 of the Garda Síochána Act 2005 as one (1) of the functional objectives of An Garda Síochána.

53. An Garda Síochána is established by legislation and its internal management is subject to Regulations made by the Minister for Justice and Equality. An Garda Síochána has operational independence subject to the general financial and regulatory framework established by the Minister.

54. Section 7 of the Garda Síochána Act sets out the functional objectives of An Garda Síochána as:

(a) preserving peace and public order;

(b) protecting life and property;

(c) vindicating the human rights of each individual;

(d) protecting the security of the State;

(e) preventing crime;

(f) bringing criminals to justice, including by detecting and investigating crime;

(g) regulating and controlling road traffic and improving road safety; and

(h) other functions conferred by law including those relating to immigration.

55. All senior officers, including the Commissioner, are appointed by the Government. The democratic accountability of An Garda Síochána has been strengthened by the provisions of the Garda Síochána Act 2005. The Garda Commissioner's Strategy Statements and Annual Policing Plans are subject to the approval of the Minister. The Commissioner must report to the Minister as required. The Minister is in turn politically accountable to Dáil Éireann for An Garda Síochána.

56. Provision has also been made for local accountability of An Garda Síochána through Joint Policing Committees, which have been established in each local authority area under the provisions of the Garda Síochána Act 2005. The Committees provide a forum for consultation and cooperation between An Garda Síochána, the local authority, elected representatives for the area and other community representatives in relation to local policing issues. The Committees can make recommendations on matters concerning the policing of areas, including measures to address the levels and patterns of anti-social behaviour.

57. The powers of the police are set out in statute and all their actions are subject to review by an active and constitutionally independent judiciary. There is also an independent police complaints authority, the Garda Síochána Ombudsman Commission (see para. 110).

58. The authority to prosecute a person for a criminal offence rests with an independent officer, the Director of Public Prosecutions (see para. 65).

59. Incidents of racially motivated crime are recorded by An Garda Síochána and are classified as such after investigation. In 2009, there were 128 recorded offences, 127 in 2010, 142 in 2011 and 97 in 2012. Of the 97 recorded offences in 2012, 24 were Assault (Minor), 16 were Criminal Damages (not Arson) and 30 were Public Order Offences. There were 11 prosecutions under the Prohibition of incitement to Hatred Act 1989 in 2012.

60. In 2012, there were 1,168 male suspected offenders for assault causing harm, and 147 female suspected offenders. For burglary, there were 3,388 suspected male offenders and 178 suspected female. For public order offences, there were 23,604 suspected male offenders and 3,580 suspected female.

61. In 2012, for assault causing harm, there were 1,489 male victims and 374 female victims. For burglary, there were 12,426 male victims and 9,013 reported female victims.

62. According to the Irish Prison Service Annual Report, in 2012 there were 12,991 committals to prison under sentence. 8,837 of those committed were for less than 3 months, and 1,734 were for sentences of 3-6 months. 8.6 per cent of those committed were aged 18-21 years and 70 per cent were aged between 21 and 40 years of age.

63. On 30 November 2012, there were 3,710 prisons currently in custody under sentence. Of these, males comprised 3,588 and females 122. Of these prisoners, 305 were serving sentences of life, while an additional 290 were serving sentences of 10+ years. The largest offence group for those in custody was Group 10 Controlled Drug Offences.

64. Further information on crime figures in Ireland and other statistical indicators can be found in Appendix I.

The Irish Legal System

65. Ireland has a common law legal system. The Constitution of Ireland is the basic law of the State and it takes precedence over other inferior sources of law. Therefore a common law or legislative provision which conflicts with a provision of the Constitution is void and will have no legal effect. Other important sources of law include EU law, which operates at a supra-Constitutional level, and legislation enacted by the Oireachtas. Further, since Ireland has a common law legal system, judge-made law is an important source of law: under the doctrine of precedent, or *stare decisis*, a court is expected to follow previous judgments, particularly those of higher courts, although this rule may be deviated from in certain circumstances.

The Court System

66. The Courts are structured on four levels: the District Court, the Circuit Court, the High Court and the Supreme Court. The latter two are referred to as the Superior Courts and may rule on constitutional matters. There is also a Court of Criminal Appeal.

67. In addition to the Courts structure outlined in the preceding paragraph, there is a Special Criminal Court, established in 1972, which sits without a jury. The Government is satisfied that there is a continuing need for this Court to deal with a range of offences arising from terrorism and organized crime. This need is kept under continuing review.

68. On 4 October 2013, a proposal to amend the Constitution in order to establish a Court of Appeal was approved by the Irish electorate in a referendum. Implementation legislation will need to be passed by the Oireachtas before the new court can be established. That legislation is under development as of the date of the submission of this document. The Court of Appeal will operate at a level between the current High Court and Supreme Court. It will hear most of the appeals which are currently heard by the Supreme Court, virtually all appeals from decisions of the High Court, and appeals from other courts if laws are passed to provide for this. In general, the decision of the Court of Appeal will be final. In cases where the Supreme Court is satisfied that a decision involves a matter of general public importance or where the interests of justice so require, there may be a further appeal from the Court of Appeal to the Supreme Court, and there may be some direct appeals from the High Court to the Supreme Court where there are exceptional circumstances warranting such direct appeals.

The Judiciary

69. Judges in Ireland are independent both of the executive and the legislature and this independence is given full protection by the Constitution. Judges are appointed by the President on the advice of the Government, which makes its decisions with reference to recommendations from the Judicial Appointments Advisory Board. Article 35.2 of the Constitution provides that all judges shall be independent in the exercise of their functions and subject only to the Constitution and the law. They may not be members of the Oireachtas or hold any other office or position of emolument (Art. 35.3). They may not be removed from office except for stated misbehaviour or incapacity and then only upon resolutions passed by both Houses of the Oireachtas calling for their removal (Art. 35.4). This power has yet to be exercised. With the exception of the power of the Oireachtas to remove a judge, questions of discipline in relation to judges are regulated by the judiciary. The current Programme for Government contains a commitment to legislate for the establishment of a Judicial Council and it is intended to publish the Bill in 2014. In November 2011 the Judiciary established an Interim Judicial Council pending the publication and enactment of the proposed legislation.

The Office of the Director of Public Prosecutions (DPP)

70. The Office of the Director of Public Prosecutions was established by the Prosecution of Offences Act 1974, which conferred on the Director "all functions capable of being performed in relation to the criminal matters" by the Attorney General immediately before the passing of the Act. The principal of such function is the power to prosecute criminal offences. The Director is independent in the performance of his/her functions. Only the Director may prosecute indictable offences, but summary offences may also be prosecuted by relevant Ministers, other prosecution agencies and by individuals acting as "common informers". As part of his/her function in ensuring the proper conduct of criminal prosecutions the Director has the responsibility for the nomination and instruction of Counsel. The Office also determines and discharges the fees of Counsel who are instructed to act on behalf of the Director.

Average backlog of cases per judge at different levels of the judicial system

71. Waiting times in the Circuit and District Courts vary from venue to venue based on the number and complexity of cases. The Presidents of the various courts are determined to achieve improvements in waiting times and they are working with the Courts Service to target judicial resources at the areas with longest waiting times.

72. The President of the High Court keeps waiting times under continuous review and has introduced a number of initiatives such as reorganizing sittings of the High Court outside Dublin and arranging for additional court sittings during court recesses to reduce waiting times. In addition, the delegation to court officials of administrative functions previously dealt with by High Court judges has increased judicial availability for trial work. These initiatives continue to be reviewed and expanded. Despite significant pressure, the waiting times in the High Court lists have generally reduced considerably.

73. The Supreme Court, however, continues to experience lengthy waiting times which are now in excess of four years. Waiting times for priority cases are 9-12 months at present.[2] The Government has also recently approved the appointment of two additional Supreme Court judges as an interim measure to tackle the backlogs in the Supreme Court and the Court of Criminal Appeal. The establishment of the Court of Appeal is expected to significantly reduce the at-present long delays in having appeals heard by the Supreme Court.

74. The Criminal Justice (Legal Aid) Act 1962 and a series of regulations made there under provides that an applicant for criminal legal aid must establish to the satisfaction of the court that his/her means are insufficient to enable to pay for legal representation him/herself. The Court must also be satisfied that, by reason of the gravity of the charge or exceptional circumstances, it is essential in the interests of justice that the applicant should have legal aid. The constitutional right to legal aid was established in 1976 in the *State (Healy) v. Donoghue* case. In addition, Article 6(3) (c) of the European Convention on Human Rights provides that every person charged with a criminal offence is entitled to defend him/herself in person or through legal assistance of his/her own choosing or, if he/she has insufficient means to pay for legal assistance, to be given it free when the interests of justice so require. The grant of legal aid entitles the applicant to the services of a solicitor and, in certain circumstances, up to two counsel, in the preparation and conduct of his/her defence or appeal. The Courts, through the judiciary, are responsible for the granting of legal aid.

75. The Legal Aid Board was established to administer a scheme of civil legal advice and aid to persons of modest means in Ireland. The scheme of Civil Legal Aid and Advice was introduced in 1979 following the judgement of the European Court of Human Rights in the case of *Airey v. Ireland* and the recommendations made by the Pringle Committee which had been set up by the Minister for Justice to advise him on the introduction of such a Scheme. It operated on an administrative basis until the introduction of the Civil Legal Aid Act 1995. The primary model of service delivery is the law centre model though it is complemented by the use of private solicitors for certain matters. Most civil matters come within the scope of the scheme and there are relatively few exclusions. While the Legal Aid Board is responsible for administering most civil law matters it does not administer the scheme of legal aid for representation before Mental Health Tribunals. This scheme is administered by the Mental Health Commission. Legal aid for criminal matters is provided

[2] Detailed statistics for each court venue and jurisdiction over the past five years are available in the annual reports produced by the Courts Service, available at: http://www.courts.ie/courts.ie/library3.nsf/pagecurrent/5D12A39F06827AD080256DA60033FE87?opendocument&l=en

under the Criminal Justice (Legal Aid) Act, 1962. The main criminal legal aid scheme is currently administered by the Department of Justice and Equality though responsibility is due to transfer to the Legal Aid Board.

II. General framework for the promotion and protection of human rights

A. Acceptance of international human rights norms

76. Ireland has signed and ratified most of the core United Nations human rights conventions. The table below outlines the signature and ratification of the major United Nations human rights treaties.

Signed	*Ratified*	*Reservations/ Declarations*	*Reports*
International Covenant on Civil and Political Rights			
1 October 1973	8 December 1989	Reservations: Article 10, para. 2; Article 20, para. 1	First report: 1992; Second report: 1998; Third report: 2007; Fourth report: 2012.
Optional Protocol to the International Covenant on Civil and Political Rights			
	8 December 1989.	Reservation: Article 5, para. 2	N/A
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the Death Penalty			
	18 June 1993	None.	N/A
International Covenant on Economic, Social and Cultural Rights			
1 October 1973	8 December 1989	Reservations: Article 2, para. 2 Article 13, para. 2 (a)	First report: Second report: 2000 Third report: 2012
Convention on the Elimination of All Forms of Discrimination Against Women			
	23 December 1985	Reservations: Article 11 (1); Article 13 (a); Article 16, 1 (d) and (f)	First report: 1987; Combined second and third report: 1997; Combined fourth and fifth report 2005
Optional Protocol to the Convention on the Elimination of Discrimination Against Women			
7 September 2000	7 September 2000	None	N/A
International Convention on the Elimination of All Forms of Racial Discrimination			
21 March 1968	29 December 2000	Reservation: Article 4	Combined first and second report: 2004; Combined third and fourth report: 2009
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment			
28 September 1992	11 April 2002	Declarations: Article 21; Article 22	First report: 2009
International Convention on the Rights of the Child			

Signed	*Ratified*	*Reservations/Declarations*	*Reports*
30 September 1990	28 September 1992	None	First report: 1996; Second report: 2005; Combined third and fourth reports: 2013.
Optional Protocol to the CRC on the involvement of children in armed conflict			
7 September 2000	18 November 2002	Declaration: Article 3, paragraph 2	First report: 2006

77. Ireland has not signed or ratified the Convention on the Rights of Migrant Workers and their Families. Nevertheless, the rights of migrant workers and their families are extensively protected under existing Irish legislation and under the Irish Constitution, as well as EU law. In addition, the rights of migrant workers and their families are addressed by Ireland's commitments under the international human rights instruments to which the State is a party. These international instruments included the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

78. At present, there are no plans to sign or ratify the Convention. However as with all outstanding ratifications of international human rights instruments, the position regarding the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families will be kept under review.

79. Ireland was in the first group of countries to sign the Convention on the Rights of Persons with Disabilities when it opened for signature on 30 March 2007. It is the Government of Ireland's intention to ratify the Convention as quickly as possible, taking in to account the need to ensure that all necessary legislative and administrative requirements under the Convention are being met. The ongoing implementation of our National Disability Strategy in many respects comprehends many of the provisions of the Convention. In addition, an inter-departmental committee has been established to monitor the remaining legislative and administrative actions required to enable ratification.

80. Ireland signed the International Convention for the Protection of All Persons from Enforced Disappearances (ICED) on 29 March 2007. Ireland intends to ratify the ICED as soon as practicable; it is likely that legislation will be required in advance of progression to ratification. The position in this regard is currently under examination. Any necessary legislation will be advanced as legislative priorities generally permit.

81. The Irish Government has a policy of keeping existing reservations to human rights treaties actively under review, consistent with the Vienna Declaration and Program of Action. At present all of the reservations under these articles are considered necessary.

82. On 17 May 2011, the Government approved the preparation of legislation to ratify the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Work is continuing on the preparation of a legislative scheme, with a view to ratification as soon as possible after enactment.

83. Ireland signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 23 March 2012. The question of ratification of the Optional Protocol is under consideration by the Government.

84. Ireland has issued a standing invitation to all United Nations human rights special procedures. Ireland was visited by the Independent Expert on Human Rights and Extreme Poverty in January 2011. Ireland was visited by the Special Rapporteur on the situation of Human Rights Defenders in November 2012.

B. Legal framework for the protection of human rights at the national level

Constitutional Protection – Specified Rights

85. A large number of rights are specifically provided for in the Constitution. They are principally, although not exclusively, to be found in Articles 40-44, under the heading Fundamental Rights. These include: (a) equality before the law (Art. 40.1); (b) the right to life (Arts. 40.3.2 and 3); (c) the right to protection of one's person (Art. 40.3.2); (d) the right to one's good name (Art. 40.3.2); (e) property rights, including the right to own, transfer, bequeath and inherit property (Art. 40.3.2 in conjunction with Art. 43); (f) personal liberty (Art. 40.4); (g) the inviolability of the dwelling (Art. 40.5); (h) freedom of expression (Art. 40.6.1 (i)); (i) freedom of assembly (Art. 40.6.1 (ii)); (j) freedom of association (Art. 40.6.1 (iii)); (k) family rights (Art. 41); (l) the right of parents to provide for children's education (Art. 42.1); (m) the right of children to receive a certain minimum education (Art. 42.3.2); (n) freedom of conscience and the free profession and practice of religion (Art.44); (o) the right to vote (Arts. 12.2.2, 16.1 and 47.3); (p) the right to seek election (Arts. 12.4.1 and 16.1); (q) the right to have votes treated as being of equal weight (Art. 16); (r) the right to have justice administered in public by judges who are independent (Arts. 34 and 35); (s) the right to criminal trial in Courts of law (Art. 38.1); (t) the right to trial by jury (Art. 38.5); and (u) the right not to have one's acts retrospectively declared to be unlawful (Art. 15.5.1).

86. The Government of Ireland held a referendum on the rights of the child in the Constitution on 10th November 2012. The majority of voters voted in favour of inserting an article into the Constitution dealing directly with the rights of the child. A challenge to the referendum result is before the Courts. The matter of referring the Referendum Bill to the President for signing into law, and to give effect to the Constitutional changes concerned, must await determination by the Courts of the legal challenge made.

Constitutional Protection – Unspecified Rights

87. The Constitution addresses the issue of personal rights and states:]

> Article 40.3.1
>
> The State guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate the personal rights of the citizen
>
> Article 40.3.2
>
> The State shall, in particular, by its laws protect as best it may from unjust attack and, in the case of injustice done, vindicate the life, person, good name, and property rights of every citizen

88. In interpreting the provisions of the Constitution, the Courts have identified a number of rights which, although not expressly referred to in the Constitution, are nonetheless provided for by it. The most notable of these unspecified constitutional rights are: (a) the right to bodily integrity; (b) the right to travel within the State; (c) the right to travel outside the State; (d) the right not to have health endangered by the State and freedom from torture and from inhuman or degrading treatment or punishment; (e) the right to litigate and have access to the Courts; (f) the right to legal counsel; (g) the right to communicate; (h) the right to marry; (i) the right to marital privacy; (j) the right to procreate; (k) the rights of an unmarried mother concerning her child; (l) the rights of a child; (m) the right to legal representation in certain criminal cases; and (n) the right to fair procedure.

Constitutionality

89. Under Article 34 of the Constitution, both the High Court and the Supreme Court have the power to assess and determine the validity of any law in terms of its constitutionality.

90. In the event that a Court concludes that a particular law is unconstitutional, that law ceases to have any legal validity *ab initio*.

Constitutional Reform

91. The Government, which came to power on 9 March 2011, has convened a Constitutional Convention to consider the need for comprehensive constitutional reform. The Convention on the Constitution was established by Resolutions of both Houses of the Oireachtas and its inaugural meeting took place on 1 December 2012. By mid April 2013, the Convention has considered five of the matters listed in the Resolutions approving its establishment: reducing the Presidential term of office to five years, and aligning it with local and European elections; reducing the voting age to 17 years; amending the clause in Article 41.2 on the role of women in the home; encouraging greater participation of women in public life and increasing the participation of women in politics; and changing the Constitution to allow for civil marriage for same-sex couples. The Convention has finalized its report and recommendations on the first two items above and laid the report before the Houses. Under the resolutions passed by the houses, the government has four months in which to respond to recommendations in the Convention's reports, including whether to hold referendum(s).

Evidence

92. The general rule in Ireland is that evidence obtained as a result of a deliberate breach of a person's constitutional rights is inadmissible.

Judicial Review

93. Judicial review is a remedy which lies against persons or bodies exercising public functions (including the lower courts) to restrain them from acting contrary to law or to compel them to act in accordance with law and to comply with basic rules of natural justice and fair procedures. It comprehends the old common law remedies of *certiorari*, *mandamus* and prohibition. The modern system of judicial review is an expeditious means by which an order may be sought to set aside a decision or action of such a body, or to compel it to act or prevent it from acting contrary to law.

94. As has already been explained, a person seeking to challenge the constitutionality of legislation may do so by way of judicial review. The judicial review procedure is not, however, confined to cases where constitutional irregularity is involved. While an Act of the Oireachtas may be found invalid only for constitutional irregularity, subordinate legislation may also be set aside where the powers conferred by the enabling legislation are exceeded, *i.e.* on the grounds that the subordinate legislation is *ultra vires* the enabling Act. Furthermore, the decisions of state bodies and other bodies exercising public functions may be challenged by way of judicial review. Such bodies are obliged to act within their powers and to comply with the basic rules of natural justice and fair procedures. Any failure to do so may be challenged by way of judicial review on grounds of, *inter alia*, unlawfulness, procedural irregularity and/or breaches of fair procedure and natural justice.

95. The following remedies exist in Irish law for breaches of human rights protected by the Constitution of Ireland: judicial review of legislation, or proposed legislation, for constitutional infirmity, where the legislation is, or would involve, the breach of a constitutionally protected right; judicial review of delegated legislation for constitutional

infirmity or incompatibility with the statutory provision which authorizes the delegated legislation; judicial review of administrative action for constitutional infirmity or other non-compliance with law, including a failure to observe the rules of natural justice; with regard to the European Convention on Human Rights Act 2003, where it is not possible to interpret the statute, statutory instrument, rule of common law etc., concerned in a manner which is compatible with the Convention, provision is made in Section 5 of the Act for the Superior courts to make a Declaration of Incompatibility which will be laid before both Houses of the Oireachtas. Provision is also made in Section 5 (4) for a system of *ex gratia* compensation from the State in circumstances where the party to the proceedings concerned makes an application in writing to the Attorney General, in respect of an injury, or loss, or damage suffered by him or her as a result of the incompatibility concerned.

Legislation, conventions and treaties

96. Article 29.3 of the Constitution states that, "Ireland accepts the generally recognized principles of international law as its rule of conduct in its relations with other States". These principles include international human rights law insofar as it forms part of customary international law. Ireland has a dualist system under which international agreements to which Ireland becomes a party do not become part of domestic law unless so determined by the Oireachtas through legislation.

97. Ireland is party to human rights treaties adopted under the auspices of the Council of Europe, including the European Convention on Human Rights. Further effect was given to the Convention in domestic law by way of the European Convention on Human Rights Act 2003. The Act provides for rights under the Convention to be pleaded directly before Irish Courts and tribunals.

98. As a State party to the European Convention on Human Rights, Ireland is obliged to abide by the judgments of the Court in cases to which it is party. Judgments against Ireland have, in a number of cases, required the payment of just satisfaction to applicants as ordered by the Courts. Under the supervision of the Committee of Ministers of the Council of Europe, the Government will continue to take all necessary steps for the execution of the Court's judgments.

99. As a Member State of the European Union, Ireland is bound by the Charter of Fundamental Rights of the European Union. The Charter recognizes specific rights, freedoms and principles (economic and social as well as civil and political), to which EU citizens are entitled when the institutions of the Union and the Member States are implementing Union law. In December 2009, with the entry into force of the treaty of Lisbon, the Charter was given binding legal effect equal to that of the EU Treaties.

Institutions and national machinery

100. The Government recognizes the importance of independent complaints, monitoring and inspection bodies and has established the following such bodies:

The Human Rights Commission and the Equality Authority

101. The Human Rights Commission was established in July 2001 as a direct result of the Good Friday Agreement. The Commission is an independent body, recognized as operating in line with the Paris Principles, charged with promoting and protecting human rights for all people within the State. It is empowered to make recommendations to Government, including on legislative proposals, and may also conduct inquiries.

102. The Equality Authority works towards the elimination of discrimination and promotion of equality of opportunity in the areas to which equality legislation apply. Its functions also include provision of information to the public about equality legislation,

keeping such legislation under review and making proposals for its amendment. The Equality Authority is the designated national equality body for the purposes of EU anti-discrimination law.

The Equality Tribunal

103. The Equality Tribunal (formerly the Office of the Director of Equality Investigations) provides a quasi-judicial forum to mediate, investigate and hear complaints of unlawful discrimination under equality legislation. It is a statutory body which operates in accordance with the principles of natural justice and its core values are impartiality and professionalism, accessibility and timeliness.

104. Under Government proposals, announced in 2011, to reform the infrastructure for asserting employment rights and for seeking redress in cases of discrimination, the existing employment rights and industrial relations bodies are being merged to form a unified Workplace Relations Commission. The new body will take on the functions of the Equality Tribunal, the Labour Relations Commission, the National Employment Rights Authority, the Employment Appeals Tribunal and some of the functions of the Labour Court. The preparation of legislation to give effect to this decision is at an advanced stage.

105. Under Government proposals, announced in 2011, to reform the infrastructure for asserting employment rights and for seeking redress in cases of discrimination, the existing employment rights and industrial relations bodies are being merged. A new two-tier Workplace Relations structure will be established comprising two statutorily independent bodies replacing the current five. There will be a new single body of first instance to be called the Workplace Relations Commission and a separate appeals body, which will effectively be an expanded Labour Court. The preparation of legislation to give effect to this decision is at an advanced stage and it will provide for the services of the Equality Tribunal, the National Employment Rights Authority, the Labour Relations Commission and the first instance functions of the Employment Appeals Tribunal (EAT) to come together under the remit of the Workplace Relations Commission. The appellate functions of the EAT will be amalgamated into a reconfigured Labour Court.

106. The jurisdiction of the Equality Tribunal is wide-ranging. Its principal role is the investigation and mediation of complaints of discrimination in relation to employment and in relation to access to goods and services, disposal of property and certain aspects of education. This protection against discrimination applies to all nine grounds on which discrimination is prohibited under the equality legislation. Where a complaint of discrimination is upheld, redress may be awarded. The Tribunal may also investigate complaints of discrimination on the same grounds under Part VII of the Pensions Act 1990, where there has been failure to comply with the principle of equal treatment in relation to occupational benefit schemes. The Tribunal has jurisdiction in all areas covered by the equality legislation with the exception of service in licensed premises, where claims should be referred to the District Court.

Irish Human Rights and Equality Commission

107. Government proposals to establish a new Irish Human Rights and Equality Commission were announced in 2011. The existing Human Rights Commission and the Equality Authority will merge into the new body in order to enhance the protection of human rights and the promotion of equality. The Commission will have enhanced powers and be accountable to Parliament. The preparation of legislation to give effect to this decision is at an advanced stage. Pending establishment of the new Irish Human Rights and Equality Commission, the Human Rights Commission and the Equality Authority continue in operation. Commissioners-designate, selected through an open procedure independent of

Government, have been appointed initially to these bodies to ensure that the two organizations can begin operating as a cohesive whole.

National Employment Rights Authority

108. The National Employment Rights Authority (NERA) was established on an interim basis in February 2007 in order to secure enhanced compliance with legal requirements, underpinned by adequate enforcement and to greatly enhance public confidence in the system of compliance. NERA aims to achieve voluntary compliance with employment law through the provision of education and awareness, inspection of employers' employment records and enforcement where necessary.

Health Service Executive

109. Statutory responsibility for the provision of health services is vested in the Health Service Executive under the Health Act, 2004 which provides that the Health Service Executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Prior to the establishment of the Health Service Executive, responsibility for such services was vested in the regional health boards under the Health Act, 1970 and the Eastern Regional Health Authority under the Health (ERHA) Act, 1999.

Child and Family Agency

110. Statutory responsibility for the provision of specified child and family services is vested in the Child and Family Agency under the Child and Family Agency Act, 2013 which provides that the Agency has responsibility, *inter alia*, to manage and deliver or arrange to have delivered on its behalf, services to support and promote the development, welfare and protection of children; to support and encourage the effective functioning of families; and to support the promotion of school attendance, participation and retention. The Agency also supervises and inspects early years services n respect of pre-school and school age childcare provided by the community/voluntary and commercial sectors.

Health and Safety Authority

111. The Health and Safety Authority is the national statutory body with responsibility for enforcing occupational safety and health law, promoting and encouraging accident prevention, and providing information and advice to all companies, organizations and individuals. The Authority is also the national Competent Authority for REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) and other chemicals legislation. The Authority deals with every size of workplace in every economic sector.

National Disability Authority

112. The National Disability Authority provides expert advice on disability policy and practice to the Minister for Justice and Equality. Public sector organizations are obliged to promote and support the employment of people with disabilities, and achieve a statutory minimum 3 per cent target of staff with disabilities. The Authority monitors compliance by public bodies and can recommend specific action where a public body is in breach of these obligations.

Mental Health (Criminal Law) Review Board

113. The Mental Health (Criminal Law) Review Board was established under the Criminal Law (Insanity) Act 2006, as amended by the Criminal Law (Insanity) Act 2010. The function of the Board is to review the detention of persons detained in designated

centres who have been refereed there by a Court having been found unfit to stand trial or not guilty of an offence by reason of insanity. The Board also reviews the detention of persons who are transferred to a designated centre from prison for care or treatment. Currently the only designated centre in the State is the Central Mental Hospital.

Ombudsman, Information Commissioner and Commissioner for Environmental Information

114. The legislation setting up the Ombudsman dates back to 1980 providing for the examination of complaints concerning the administrative actions of Government Departments, the Health Service Executive, public hospitals and local authorities. The Ombudsman (Amendment) Act 2012 strengthens the Ombudsman's powers and extends the Act to at least another 150 public bodies including, for example, all third level institutions. The Ombudsman plays a critical role in vindicating the rights of citizens in their dealings with public bodies.

115. While they are in law separate entities, the Offices of the Ombudsman and the Information Commissioner have been held by the same person and the two offices have operated together since the Office of Information Commissioner was established in 1997. The function of Commissioner for Environmental Information was also added to the role in 2007 as part of Ireland's implementation of the Aarhus Convention. The Commissioner is responsible for reviewing (on application) decisions of public bodies in relation to Freedom of Information and Access to Information on the Environment requests and, where necessary, making binding new decisions; reviewing the operation of the Freedom of Information Acts to ensure that public bodies comply with the provisions of the legislation; and preparing and publishing commentaries on the practical operation of the Acts. The Commissioner for Environmental Information may also refer any question of law arising in an appeal under that code to the High Court for determination.

Ombudsman for the Defence Forces

116. Established under the Ombudsman (Defence Forces) Act 2004, the Office provides a complaints procedure for members and former members of the Defence Forces in situations where internal complaints procedures have been exhausted.

Garda Síochána Ombudsman Commission

117. The independent police complaints authority, the Garda Síochána Ombudsman Commission, is empowered to directly and independently investigate complaints against members of An Garda Síochána, or any matter where it appears that a Garda may have committed an offence or behaved in a manner that would justify disciplinary proceedings.

Ombudsman for Children

118. The main areas of work of the Ombudsman for Children's Office include independent handling of complaints by young people or by adults on young people's behalf; communication and participation, including supporting people in finding out about children's and young people's rights; and research and policy, including advising the Government on children's rights issues.

Data Protection Commissioner

119. The Commissioner is responsible for upholding the rights of individuals as set out in the Data Protection legislation and enforcing the obligations of data controllers. The Commissioner is independent in the exercise of his or her functions. Individuals who feel their rights are being infringed can complain to the Commissioner.

Press Ombudsman and Council

120. The Press Council of Ireland and the Office of the Press Ombudsman safeguard and promote professional and ethical standards in Irish newspapers and magazines. The Office of the Press Ombudsman ensures that everybody now has access to an independent press complaints mechanism that is quick, fair and free. These structures are designed to ensure that the freedom of the press is never abused, and that the public interest is served.

Monitoring Group on National Action Plan on United Nations Security Council Resolution 1325

121. A Monitoring Group on the implementation of Ireland's National Action Plan on United Nations Security Council Resolution 1325 on Women Peace and Security (2011 - 2014), made up of 50 per cent Academic and Civil Society Organisation representatives and 50 per cent Government representatives, with an independent Chair, oversees the regular and systematic review of progress in achieving the objectives, actions and targets of the NAP.

An Coimisinéir Teanga (The Language Commissioner)

122. The Office of An Coimisinéir Teanga is a fully independent Office as set out in the Official Languages Act 2003. The functions and powers of the Commissioner are specified in the 2003 Act and essentially are to monitor compliance with the Act by public bodies.

Inspector of Prisons

123. The Inspector carries out regular inspections of the 14 prisons and places of detention, and reports on each institution inspected. These reports, together with an Annual Report, are published.

The Health Information and Quality Authority

124. The Health Information and Quality Authority (HIQA) is the independent Authority established to drive continuous improvement in Ireland's health and personal social care services, monitor the safety and quality of these services and promote person-centred care for the benefit of the public. The Authority's mandate extends across the quality and safety of the public, private (within its social care function) and voluntary sectors. Reporting to the Minister for Health and the Minister for Children and Youth Affairs, the Health Information and Quality Authority has statutory responsibility for:

(a) Setting Standards for Health and Social Services;

(b) Registering and inspecting residential centres for older people and residential disability centres;

(c) Monitoring the quality and safety of health and personal social care services and

(d) Investigating as necessary serious concerns about the health and welfare of people who use these services.

The role of the Health Information and Quality Authority also includes developing standards and inspection in respect of children's services. HIQA inspects protection and welfare services; foster care provision children's residential centres including secure units which provide intensive support for children in a secure facility provided by the Child and Family Agency (formerly the HSE). It also inspects children's detention schools.

Financial Services Ombudsman

125. The Financial Services Ombudsman deals independently with unresolved complaints from consumers about their individual dealings with all financial services providers, including in relation to mortgage and other consumer credit matters.

Mental Health Commission and Inspectorate of Mental Health Services

126. The functions of the Mental Health Commission are to promote, encourage, and foster the maintenance of high standards and good practices in the delivery of mental health services and to take all reasonable steps to protect the interests of detained patients.

127. The Inspectorate of Mental Health Services is required by law to visit and inspect every approved centre annually and, as the Inspectorate thinks appropriate, to visit and inspect any other premises where mental health services are being provided. As part of the inspection process, the functions of the Inspectorate include ascertaining the degree of compliance by approved centres with any applicable Code of Practice or statutory regulations.

Citizens' Information Board

128. The Citizens' Information Board provides free information, advice and advocacy on a broad range of public and social services. It also supports the voluntary network of 113 Citizens' Advice Centres around the country, the Citizens' Information Phone Services, the Sign Language Interpreting Service and the National Advocacy Service.

Money, Advice and Budgeting Service (MABS)

129. MABS is a national free, confidential and independent service for people in debt or in danger of getting into debt. Funded by the Government via the Citizens' Information Board, MABS operates at a network of centres at local community level that assist people with debt problems.

The Private Residential Tenancies Board (PRTB) and the Rent Tribunal

130. The PRTB was established under the Residential Tenancies Act 2004 to operate a national tenancy registration system and to resolve disputes between landlords and tenants. The Residential Tenancies Amendment (No.2) Bill 2012 once enacted will extend the remit of the PRTB so that dwellings let by approved housing bodies to social housing tenants will come within the remit of the Act. The Rent Tribunal was established under the Housing (Private Rented Dwellings) (Amendment) Act 1983 and is the arbitrating body in the determination of the terms of tenancy for formerly rent-controlled dwellings. The Residential Tenancies Amendment (No.2) Bill 2012 once enacted will also give legal effect to the merger of the PRTB and the Rent Tribunal.

Civil Society

131. Ireland is fully committed to a pluralistic and open democracy and values the role played by a diverse and inclusive civil society in this regard. Government recognizes the contribution that social dialogue can make to maximizing common understanding across all sectors of society especially in addressing the difficulties facing the country at the moment. Ministers and their Departments continue to have regular interaction with representatives of all sectors of society. Successive Governments have attached much importance to the role of the NGO community in the area of human rights. In order to provide a formal framework for a regular exchange of views between the Department of Foreign Affairs and Trade and representatives of the NGO community, the Joint DFAT/NGO Standing Committee on Human Rights was established, comprising representatives of NGOs and experts, as well as

officers of the Department. In addition to the Committee, a Forum on Human Rights, to which all interested NGOs are invited, is held annually.

C. Framework within which human rights are promoted at the national level

National and Regional Parliaments and Assemblies

132. There are numerous Joint Oireachtas Committees which consider issues of importance to human rights and public affairs. These Joint Committees include, *inter alia*, the Joint Committee on Social Protection, the Joint Committee on Health and Children, the Joint Committee on Justice, Defence and Equality and the Joint Committee on Foreign Affairs including the Sub-Committee on Human Rights and the Sub-Committee on Development Cooperation.

Dissemination of Human Rights Instruments

133. Information relating to the main human rights conventions ratified by Ireland and the national reports submitted to the United Nations on the implementation of these conventions are available on the Department of Foreign Affairs and Trade website (www.dfa.ie). The individual Government departments responsible for implementation and compliance with United Nations human rights instruments are also responsible for dissemination.

134. The Universal Declaration of Human Rights has been printed in both national languages and has been widely distributed. Copies of international human rights instruments ratified by Ireland have also been made available to the general public and circulated to members of Dáil Éireann.

Raising human rights awareness among public officials

135. The Government of Ireland aims to ensure that all public officials are aware of their obligations under various human rights instruments. Human rights training is provided to public officials including members of An Garda Síochána, members of the Defence Forces and custodial personnel working in the Irish Prison Service. The Irish Human Rights Commission provides training to civil and public servants on their human rights obligations.

136. The Irish Defence Forces provide ongoing human rights training at United Nations Training School Ireland (UNTSI) in the Defence Forces Training Centre both for members of the Defence Forces and for participants from armed forces abroad. The overall training package is based on the programme provided by the Office of the United Nations High Commissioner for Human Rights (OHCHR).

137. Human rights training also forms a key part of the formal induction and in-service training courses for custodial personnel. Every opportunity is taken in the course of such training to foster and promote respect for human rights in the treatment of persons in custody. The basic training given to prison officer's places significant emphasis on the human rights of prisoners. They are taught that deprivation of liberty is a most sensitive and far-reaching power available to the State and should at all times be subject to the rule of law and exercised with respect for the dignity and basic rights to which every person is entitled. The training provided places significant emphasis on the European Convention on Human Rights, the United Nations Standard Minimum Rules for the Treatment of Prisoners, the European Prison Rules, and the work of the European Committee for the Prevention of Torture or Inhuman or Degrading Treatment or Punishment.

138. The Irish Prison Service College is working in partnership with the Irish Human Rights Commission and has developed a tailored "Train the Trainer" human rights course, based on participative methodology for training liaison officers in each of their prisons. The training includes the relevant human rights framework along with the practical application of principles of human rights, such as dignity, respect, equality, proportionality and transparency. This will allow the trainers to deliver a two-hour training course to all prison personnel across Ireland and concentrate on the principles of dignity and respect in the daily interaction of Prison officers and prisoners. The programme is to be launched in December 2013.

139. Human rights training forms a central part of all recruits and members of An Garda Síochána. A dedicated Human Rights Office was set up in 1999 and deals with Garda training and educational policy in the areas of human rights. It also has a consultation brief with nongovernmental organizations and community groups countrywide. The Human Rights Office also acts as the secretariat for the Garda Strategic Human Rights Advisory Committee (SHRAC). The mainstreaming and instilling of a culture of respect for human rights by An Garda Síochána is a key focus of SHRAC.

140. SHRAC is represented by both state representatives and civil society human rights advocates. The state actors comprise: Assistant Commissioner Human Resource Management (HRM) (chair), senior Garda management, Garda civilian staff, management and a Department of Justice & Equality official. The civil society representatives include members from: the Irish Human Rights Commission (IHRC); the Irish Council for Civil Liberties (ICCL), the Equality Authority and Amnesty International.

141. SHRAC has the following terms of reference:

(a) Progress implementation of human rights initiatives to bring about cultural change across the organization;

(b) Promote human rights policies and procedures (internally and externally);

(c) Ensure that best human rights practice is at the core of our policing service.

142. Gardaí attached to the Garda National Immigration Bureau receive additional training appropriate to their role as immigration officers. Likewise, civilian immigration officers of the Irish Naturalisation and Immigration Service assigned to frontline immigration control duties also receive appropriate training in human rights. The training programmes cover areas such as international human rights mechanisms, human trafficking and developing cultural competence.

143. Ireland's overseas aid programme – Irish Aid – has a significant focus on public engagement around development and human rights. Much of this comes in the form of work at primary and secondary school level but also with the informal education sector. In addition, Irish Aid engages in a variety of outreach and communications activities through the Irish Aid Information and Volunteering Centre located in the heart of Dublin city.

Promotion of Human Rights Awareness through Educational Programmes and Government-Sponsored public information

144. Human rights issues are addressed at both primary and post-primary levels and there are Human Rights programmes in a number of third-level education institutions.

145. At Primary level, human rights can feature in a range of contexts across the curriculum which is taught in an integrated way. At this level the strongest emphasis is in Social, Personal and Health Education (SPHE). "Developing Citizenship" is a core element of this mandatory subject, from infant classes through to completion of primary education.

146. In addition to the above, the Department of Education and Skills has worked with a wide range of stakeholders on a Cross Border Primary Human Rights Education Initiative (LIFT OFF) with Northern Ireland. The project is a joint initiative of Amnesty International UK and Irish Sections, the Irish National Teachers' Organisation (INTO), the Ulster Teachers' Union and Education International, and comprises representatives of the Departments of Education and the curriculum bodies both north and south of the border. The primary aim of this initiative is supporting the development of a human rights culture on the island of Ireland by supporting the mainstreaming of Human Rights Education in the primary education systems of Northern Ireland and Ireland.

147. At post-primary level knowledge of human rights can also be developed in a range of contexts across the curriculum. Most commonly it features in SPHE, History, Geography, Business Studies and Civic, Social and Political Education (CSPE). CSPE is currently an examination subject and part of the core curriculum at post primary schools. It aims to instil in students understanding of seven key concepts viz. democracy; rights and responsibilities; human dignity; interdependence; development; law and stewardship.

148. In the new Framework for Junior Cycle, published in October 2012, the learning at the core of junior cycle is described in 24 Statements of Learning. One of these provides that all students in the end of Junior Cycle should "value what it means to be an active citizen, with rights and responsibilities in local and wider contexts". In addition, one of the principles of the Framework is Inclusive Education, whilst the key skill of Working with Others will address conflict, cooperation, respecting difference and contributing to make the world a better place. All these elements are key skills in the context of our understanding and awareness of human rights. The new Framework will be introduced on a phased basis from September 2014. A new short course in CSPE will be available to schools from September 2014.

149. A new Action Plan on Bullying was launched in January 2013 by the Minister for Education and Skills and the Minister for Children and Youth Affairs. The Plan sets out 12 actions to help prevent and tackle bullying in primary and second level schools. It also aims to promote respect for diversity and inclusiveness in Irish schools and communities.

150. Delivering Equality of Opportunity in Schools (DEIS) is the action plan for educational inclusion. DEIS is designed to ensure that the most disadvantaged schools benefit from a comprehensive package of supports. DEIS is one element of a continuum of interventions to address disadvantage for the primary and the post primary sectors. There are also second-chance education and training and access measures for adults to support increased participation in education and training by under-represented groups in society.

Higher Education

151. Within higher education, a wide range of programmes is provided that pertain to human rights. While the study of human rights forms an important component of courses in law, politics, and international relations, it also features in courses across a wide range of disciplines, including sociology, psychology, health sciences, education, and gender studies. There are two dedicated research centres for human rights in Ireland: the Centre for Criminal Justice and Human Rights at University College Cork (UCC), and the Irish Centre for Human Rights at the National University of Ireland, Galway (NUIG), in addition to which a number of centres in Irish higher education institutions have a strong human rights focus, including Trinity College Dublin (TCD)'s Centre for Post-Conflict Justice and University College Dublin (UCD)'s Equality Studies Centre.

152. It is incumbent on higher education institutions to uphold and protect the human rights of students and staff. Under the Equality Act 2004, the Equal Status Act 2000, and the Disability Act 2005, higher education providers are required to prevent discrimination

against students and staff and to accommodate the needs of those with disabilities. All institutions have in place policies and procedures for addressing complaints about bullying and harassment, as well as codes of conduct and ethics policies. Support services in higher education institutions include disability, counselling, and health services, as well as online information services and pastoral care provided to students by personal tutors.

153. There is a range of initiatives and supports that aim to ensure equity of access to higher education for all citizens, including those from disadvantaged backgrounds and minority groups. In 2003 the National Office for Equity of Access to Higher Education was established within the Higher Education Authority (HEA) to facilitate access to higher education for under-represented groups; and the National Office administers the European Social Fund (ESF)-aided Fund for Students with Disabilities to institutions for the provision of disability support services, as well as the Student Assistance Fund for those experiencing financial hardship. The *National Plan for Equity of Access to Higher Education 2008–2013* articulates a national commitment to equality of access to higher education and sets out targets for fulfilling this.

154. In support of this national commitment the HEA has funded a wealth of access initiatives through the Strategic Innovation Fund (SIF), including the reform and mainstreaming of the Higher Education Access Route (HEAR)[3]; and the Disability Access Route to Education (DARE)[4]; which offer access to higher education courses with a reduced point-score in the Leaving Certificate examination for students from socio-economically disadvantaged backgrounds and for those with a disability respectively. Many higher education institutions have established programmes to widen access, including for example Dublin Institute of Technology (DIT)'s 'Community Links Programme', which supports educationally disadvantaged children and adults to access higher education; Dublin City University's 'DCU in the Community' initiative, which provides a drop-in centre to promote educational opportunities to the local community; and TCD's Trinity Access Programmes (TAP).

155. Higher education institutions in Ireland are active in promoting active citizenship among students and staff. NUIG is a leader in this regard, with civic engagement embedded into its *Strategic Plan 2009–2014*. Since its establishment in 2001, NUIG's Community Knowledge Initiative (CKI) has actively promoted civic engagement, hosting the ALIVE student volunteering programme, embedding service-learning into degree programmes, and supporting collaborative research and knowledge-exchange with community partners. DCU's annual President's Award for Engagement celebrates the engagement of staff and students in the life of the wider community; and TCD's Voluntary Tuition Programme (VTP) enables Trinity students to mentor children and teenagers in the local communities of Pearse Street and Ringsend. The NUIG-led, SIF-funded Campus Engage Network has enhanced the provision of service-learning, community-based learning, and volunteering opportunities for students, as well as the promotion of active citizenship across Irish universities.

156. While acknowledging the achievements of the sector to date in supporting civic engagement, the *National Strategy for Higher Education to 2030* calls for "higher education institutions to become more firmly embedded in the social and economic contexts of the communities they live in and serve", and to this end the HEA is supporting the broadening of the Campus Engage Network into a national platform for civic engagement. In addition, the performance evaluation framework for the sector that the HEA

[3] http://www.accesscollege.ie/hear/
[4] http://www.accesscollege.ie/dare/

is developing will support the strategic development of higher education institution's engagement missions.

Role of Civil Society and Non-Governmental Organizations

157. Ireland has a strong and active NGO community who play a central role in human rights education. They provide vital information to Government about human rights issues which affect people at the grassroots level, through specific Government forums with NGOs as well as on a more general level. At the same time, they serve to educate the public about the human rights programmes and protection available to them. Consultation with NGOs forms a central part of the human rights reporting mechanism.

Promotion of Human Rights Internationally and in the context of Development Cooperation and Assistance

158. The promotion and protection of human rights and fundamental freedoms has always been a cornerstone of Irish foreign policy. Ireland has a strong record of providing assistance to developing countries to address poverty, vulnerability and marginalization. Ireland focuses on developing the institutions and capacity within developing countries to do this themselves, guided by the Millennium Development Goals. Ireland's official aid programme, Irish Aid, is an integral part of the Department of Foreign Affairs and Trade. It continues to rank among the best in the world due to its poverty focus and Ireland's continued efforts to maintain its significant aid budget despite current economic difficulties. In 2012, Ireland provided 0.48 per cent of GNI for official development assistance (ODA). The Programme for Government (March 2011) has confirmed the commitment to the 0.7 per cent of GNP target for ODA and this commitment was re-affirmed in Ireland's new Policy for International Development – One World, One Future, which was launched in May 2013.

159. Ireland recognizes that the enjoyment of all human rights – civil, cultural, economic, political and social – is essential for development. Equally, development is essential to enable the full enjoyment of those rights. Under the new development policy, Ireland is committed to further strengthening its support to human rights including by identifying human rights and accountability as a priority area for action for the aid programme, by identifying commitment to human rights as a criteria upon which Irish Aid Key Partner Countries shall be chosen and by placing greater emphasis on supporting gender equality and the rights of persons with disabilities. Irish Aid supports human rights work in a number of important ways. Expenditure on governance and civil society, for example, amounts to around 15 per cent of our total budget, much higher than the OECD average. Support is also provided to the Office of the High Commissioner for Human Rights, and other human rights initiatives. Through Irish Aid, Ireland provides funding to a wide range of NGOs working on human rights issues and supports national human rights commissions in a number of developing countries.

D. Reporting process at the national level

160. The following table shows the lead Government department with responsibility for coordinating the reporting process under the principal United Nations human rights instruments.

United Nations Instrument	*Lead Government Department*
ICCPR	Human Rights Unit, Department of Foreign Affairs and Trade

United Nations Instrument	*Lead Government Department*
ICESCR	Human Rights Unit, Department of Foreign Affairs and Trade
CAT	Prisons Policy section, Department of Justice and Equality
CEDAW	Gender Equality Unit, Department of Justice and Equality
CRC	Policy, Strategy Development and Business Support Unit, Department of Children and Youth Affairs
CERD	Office for the Promotion of Migrant Integration, Department of Justice and Equality

161. The initial drafting process for all of Ireland's human rights reports involves inter-departmental meetings with all relevant government departments. Extensive consultation with civil society is carried out at various stages of the drafting process. The Irish Human Rights Commission is also invited to consult on the reports, and its successor body will also be invited to do so upon its establishment.

162. The Government of Ireland recognizes the important role played by NGOs in promoting and implementing the rights set out in the treaties, and usual practice in the preparation of national reports includes consultations with a broad range of relevant NGOs.

E. Other related human rights information

163. Ireland underwent its first review under the United Nations Universal Periodic Review (UPR) process in October 2011 and submitted an Addendum to the Report of the Working Group to the United Nations in March 2012. Of the 127 recommendations made by United Nations Member States, Ireland accepted 91, partially accepted 17 and declined 19. Ireland has undertaken to carry out a voluntary mid-term report on progress with regard to the accepted recommendations early in 2014.

III. Information about non-discrimination and equality and effective remedies

164. Ireland is already to the fore in its promotion and protection of the principles of equality and freedom from discrimination. There is a suite of equality legislation in place designed to ensure equality for all. The primary legislation is set out in the table below:

- Bunreacht na hÉireann (Constitution of Ireland) - Article 40.1, Article 40.3.1, Article 40.3.2, and Article 44.2.3
- Unfair Dismissals Acts 1977–2007
- Ombudsman Act 1980
- Prohibition of Incitement to Hatred Act 1989
- Pensions Act 1990
- Maternity Protection Act 1994
- Adoptive Leave Act 1995
- Civil Legal Aid Act 1995
- Parental Leave Act 1998

- Employment Equality Act 1998
- Education Act 1998
- Equal Status Act 2000
- Human Rights Commission Act 2000
- Intoxicating Liquor Act 2003
- Redundancy Payments Act 2003
- Equality Act 2004
- Residential Tenancies Act 2004
- Social Welfare (Miscellaneous Provisions) Act 2004
- Public Service Management (Recruitment and Appointments) Act 2004
- Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007
- Civil Law (Miscellaneous Provisions) Act 2008 Part 16
- Merchant Shipping Act 2010
- Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010
- Civil Law (Miscellaneous Provisions) Act 2011
- Ministers and Secretaries (Amendment) Act 2011
- Protection of Employees (Temporary Agency Work) Act 2012
- Equal Status (Amendment) Act 2012
- Code of Practice on harassment and sexual harassment in the workplace, Statutory Instrument No. 208 of 2012.

165. The major pieces of legislation enacted include the Employment Equality Acts 1998 to 2011 and the Equal Status Acts 2000 to 2012. This legislation prohibits both direct and indirect discrimination in the areas of employment and access to goods and services, including housing, healthcare and education, on nine grounds: gender, civil status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community. The Acts also outlaw victimization, i.e., discrimination against an individual because he or she has taken a case or is giving evidence under the equality legislation, or has opposed by lawful means discrimination which is prohibited under this legislation.

166. These Acts established the necessary institutional structures, in the shape of the Equality Authority and the Equality Tribunal, to ensure effective implementation of the legislation. Developments in this infrastructure are set out in paragraphs 101 to 106 above.

167. Recent enhancements to equality legislation include the following:

(a) Following the introduction of registered civil partnership for same-sex couples, the protection from discrimination on the basis of marital status was extended to cover registered partnership, and the ground renamed as "civil status";

(b) The maximum compensation that may be awarded in cases of discrimination in the field of employment was increased, to provide for enhanced redress for workers on low pay.

168. These Acts also give effect in domestic law to Ireland's obligations as a member of the European Union to implement Community initiatives provided for under Council

Directives 2000/43/EC, 2000/78/EC, and 2004/113/EC adopted under Article 13 of the EC Treaty, and Council Directives 2002/73/EC and 2006/54/EC adopted under Article 141 of the Treaty. The directives, commonly known as the equality directives, provide for equal treatment on the grounds of gender, racial or ethnic origin, religion or belief, disability, age and sexual orientation.

169. The overall effect of these directives is to require member States to prohibit direct discrimination, indirect discrimination and harassment on grounds of gender, racial or ethnic origin, religion or belief, disability, age, and sexual orientation in regard to employment, self-employment or occupational and vocational training. Sexual harassment and victimization are also prohibited. Discrimination on the race and gender grounds in access to and the supply of goods and services is prohibited under directives 2000/43/EC and 2004/113/EC, while directive 2000/43/EC also prohibits race discrimination in the areas of social protection, social advantages and education.

Equality Mainstreaming

170. Government procedures require all substantive proposals submitted to Cabinet to take account of the impact on gender equality, on persons with disabilities, and on vulnerable groups.

171. The Equality Authority has developed a series of tools for use by Government Departments, local authorities, public service providers and others in proofing their policies to avoid unanticipated negative impact on any category of persons protected by equality legislation, to ensure policy coherence and best use of resources. The Equality Authority has also distilled its learning over recent years in an Equality Benefits Tool. This publication, which is applicable to both the public and private sector, outlines how investing in equality brings benefits and incorporates a series of equality tools with a focus on service provision (equal status policy / equal status review, equality screening, equality impact assessment). Good practice is disseminated and technical assistance provided through initiatives such as the Public Service Equality Learning Network.

172. Commencing in 2007, the Equality Authority has set up a specialist Equality Mainstreaming Unit, as one of the initiatives set up under the Human Capital Investment Operational Programme (HCI-OP) 2007-2013. The HCI-OP is a €1.36 billion plan funded by the European Social Fund that addresses Ireland's labour market and human capital development needs for the period 2007-2013. The main objective of the Equality Mainstreaming Unit is to contribute to addressing labour market gaps in Ireland for specific groups that are experiencing barriers in accessing and participating in the labour market, including those created by gender inequality and wider inequalities. The programme consists of a set of measures that seek to improve labour market access and participation of groups experiencing inequality across the nine grounds covered by the equality legislation in Ireland.

173. Government legislative proposals to establish a new Irish Human Rights and Equality Commission (IHREC) also include the introduction of an express duty on public bodies to have due regard to human rights and equality in carrying out their functions. It is intended that a public body will be obliged to formally consider human rights and equality issues relevant to its work, to set out its consideration of relevant issues in its Strategic Plan and to report on relevant issues and events in its annual report. Support and guidance will be available from IHREC. Further details are given at para. 110.

Initiatives to Foster Gender Equality

174. The National Women's Strategy (NWS) 2007–2016 is an all-of-Government strategy which was launched by the then Taoiseach in April 2007. Its preparation was

undertaken by a cross-Departmental Committee steered by the then Department of Justice, Equality and Law Reform, pursuant to the Government's commitments under the Beijing Platform for Action. The preparatory phase included extensive consultation with civil society.

175. The NWS has as its vision: "An Ireland where all women enjoy equality with men and can achieve their full potential, while enjoying a safe and fulfilling life". The Strategy, which contains 20 key objectives and over 200 actions, has three principal sub-themes: to equalize socio-economic opportunity for women; to ensure their well-being and to engage women as equal and active citizens.

176. Theme One aims to *Equalize Socio-Economic Opportunity for Women* and contains ten objectives/ sub-objectives as follows:

EQUALIZING SOCIO-ECONOMIC OPPORTUNITY FOR WOMEN
1-A. To increase the participation of women in the labour force
1-B. To decrease the gender pay gap
2. To promote the advancement of women in the labour market
3. To support more women as entrepreneurs
4. To seek to ensure that women and girls achieve their full potential in the education system
5-A. To ensure that childcare services are optimized to meet the needs of parents and children alike
5-B. To ensure that the care infrastructure supports women's socio-economic engagement
6-A. To reduce the numbers of women experiencing poverty
6-B. To reduce the numbers of female lone parents who experience poverty
6-C. To reduce the numbers of women experiencing poverty by increasing pension cover

177. Theme Two which aims to Ensure the Wellbeing of Women contains eleven objectives/ sub-objectives as follows:

ENSURING THE WELL-BEING OF WOMEN
7. To enhance the work/life balance for women
8-A. To improve the health status of women in Ireland through gender focused policies
8-B. To improve the physical health status of women in Ireland
8-C. To improve the reproductive and sexual health status of women in Ireland
8-D. To improve the mental health status of women in Ireland
8-E. To promote healthy lifestyles for the women in Ireland
9. To increase the number of women participating in sport and physical activity in Ireland
10. To ensure the health and safety of pregnant and breast feeding women at work

ENSURING THE WELL-BEING OF WOMEN	
11.	To protect women from bullying and harassment in the workplace
12.	To combat violence against women through improved services for victims together with effective prevention and prosecution
13.	To address the issue of trafficking of women and children

178. Theme Three aims to Engage Women As Equal and Active Citizens and contains seven objectives/ sub-objectives as follows:

ENGAGING AS EQUAL AND ACTIVE CITIZENS	
14.	To increase the number of women in decision-making positions in Ireland
15.	To increase the number of women involved in the arts in Ireland
16.	To use media proactively to support gender equality and the advancement of women
17-A.	To foster the advancement of United Nations Millennium Development Goals through Irish Aid
17-B.	To use multi-lateral aid and development policy to promote the role of women and gender equality in developing countries
17-C.	To enhance the capacity of Irish Aid and Development Partners to respond effectively to Gender Based Violence in conflict, post-conflict and developing environments
17-D.	To ensure the integration of gender perspectives into all parts of the United Nations System

179. The Strategy also contains actions which will contribute to its implementation and to a greater awareness of gender equality issues in relation to policymaking across all Government activities.

180. Implementation of the Strategy is being overseen by an Inter-Departmental Committee chaired by Department of Justice, Equality and Law Reform and by the "National Women's Strategy Monitoring Committee", which includes the social partners and is chaired by the Minister of State with responsibility for Disability, Equality, Mental Health an Older People.

Equality for Women measure (EWM)

181. The Equality for Women Measure (EWM) is a positive action programme for women, which aims to foster gender equality through a range of projects delivered in the main by locally based community groups. The EWM receives European Social Funding (ESF) support under the Human Capital Investment Operational programme and Exchequer matching funds. The objectives of the Measure (comprising of three strands) were to make funding available to projects to support positive actions which: improve women's access to education, training and personal development in preparation for employment; support

women who are undertaking entrepreneurial activity; and support women's advancement in their employment.

182. The economic downturn has limited the availability of Exchequer match funding to support the Equality for Women Measure and as a result the coverage was more limited than originally envisaged. In the early years, funding was provided to some 40 community groups. However, in 2013, it has been necessary to curtail coverage to 25 projects which work with women currently outside the labour market and with two further entrepreneurial projects which have been funded annually with considerable success.

183. The EWM has facilitated a total of 11,350 women since 2009 to engage in development opportunities, which enables them to return to employment, or to mainstream education and training opportunities.

184. In 2012, for example, EWM activity statistics reveal that:

(a) A total of 1,964 women participated in Labour Market Activation courses (EWM Strand 1);

(b) A total of 566 participants (28.8 per cent) in EWM Strand 1 moved to employment or advanced to another education/training programme in 2012;

(c) 1,069 women participated in training for entrepreneurship delivered by community groups, with a total of 197 women (18.4 per cent) moving to early stage entrepreneurship in 2012.

Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence

185. Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence was established by the Irish Government in June 2007 to help co-ordinate the State's response to domestic, sexual, and gender-based violence, all of which affect women disproportionately. The National Strategy on Domestic, Sexual and Gender-based Violence 2010-2014 sets out a comprehensive range of actions to address both the primary interventions of prevention, recognizing and understanding of this violence and also secondary interventions in the areas of reporting, referring and ensuring the appropriate responses to acts of violence

National Women's Council of Ireland

186. Founded in 1973, the National Women's Council of Ireland is the leading national women's membership organization in Ireland. NWCI seeks full equality between men and women. NWCI represents and derives its mandate *to articulate the views and experiences of their members and make sure their voices are heard wherever decisions are made which affect the lives of women in all their diversity* from their membership, which includes 165 member groups from a diversity of backgrounds, sectors and locations. Full membership is open to organizations who have a minimum of 10 individual members who agree with the vision, mission and values of NWCI and in the course of their own work demonstrably seek to progress equality for women in Ireland (through direct services, policy, advocacy, or other stated means). Organizations must have been in existence for at least a year prior to applying for membership.

187. The Irish Exchequer continues to support the core funding of the NWCI. The NWCI is an umbrella body which groups together approximately 150 NGOs representative of women's interests and concerns. It is recognized by Government as a key body which puts forward women's concerns and perspectives. It receives almost all its core funding from the Government. In 2013, this will amount to €300,000. While it is independent of Government on policy issues, answerable only to its own elected executive committee and members, its

Government funding stems from a recommendation to the then Government made in 1992 that the NWCI: provide women's organizations at local regional and national level with a forum in which women's views, opinions, experience and perspectives can be shared and developed; through its work at national level, the NWCI bring such views and perspectives to bear on policy and decision-making, while at the same time encourage and support the work of its affiliates and other women's groups to work locally and regionally; and develop leadership and developmental programmes for women's groups around the country.

188. In addition to its developmental role, it is recognized as an informed and constructive contributor to the implementation and review of policy initiatives and its leaders interact frequently with senior politicians and policymakers.

Women's representation on State Boards

189. The Programme for the Government for National Recovery 2011-2016 restates a 1993 Government commitment to take steps to ensure that all State Boards have at least 40 per cent of each gender. This commitment had been incorporated into the National Women's Strategy 2007-2016 and links with key aims of both the European Union and the United Nations in relation to the involvement of women in decision-making roles.

190. In April 2011, the Government agreed that future vacancies on State Boards be advertised on the website of the relevant Government Department and that the public advertisements inviting applications would contain the following line: "*In considering applications due regard will be given to Government policy on gender balance on State boards*".

191. Progress on State Boards is monitored annually. Composite data on women's participation on State Boards in recent years indicates that about 34 per cent of places on Boards were held by women, which is an improvement on the reported figure of 29 per cent in June 2002. However, progress towards the achievement of the gender target has been slow and significant deviations continue to persist between government departments. A pattern has emerged over the years, with significant numbers of women present on boards with a 'caring' focus and fewer on the boards of bodies with an economic or business focus.

192. The following are the key statistics in relation to membership of State Boards serving on 31 December 2011:

(a) Women's participation rate on State Boards in 2011 was 33.9 per cent (similar to 2009), marking a marginal reduction from the 2010 rate of 34.67 per cent; and

(b) The gender breakdown of chairpersons of State Boards was 79 per cent men and almost 21 per cent women in 2011. This represents an increase of just over 1 per cent for female Chairpersons since end 2010.

General information regarding the human rights situation of persons belonging to specific vulnerable groups in the population

Persons with disabilities

193. Informed by the recommendations of the report of the Commission on the Status of People with Disabilities, there have been significant developments in the disability sector in Ireland.

194. In June 2000, the Government launched the mainstreaming initiative which required public bodies, where possible, to integrate services as far as possible for people with disabilities with those for other citizens.

195. The National Disability Authority (NDA) was established by statute in June 2000 to develop and monitor standards in services for people with disabilities and to advise on disability policy and practice. The NDA is funded by the Government.

196. The Comhairle Act 2000 established Comhairle as a mainstream information provider funded by the Department of Social and Family Affairs. The agency has a statutory commitment to assist and support people, particularly those with disabilities, in identifying and understanding their needs and options and in accessing their entitlements to social services. The Citizens Information Act 2007 amended the Comhairle Act 2000 to change the name of Comhairle to the Citizens' Information Board. The Social Welfare (Miscellaneous Provisions) Act 2008 further extended the remit of the Citizens' Information Board to include the Money Advice and Budgeting Service. Total funding provided to the Citizens' Information Board has increased from €44.936 million in 2010 to €47.540 million in 2013.

197. In November 2011, the Minister for Disability, Equality, Mental Health and Older People appointed a new group to assist her in the implementation of the National Disability Strategy, which was launched in 2004 and continues to be the focus of Government policy for the sector. This new group is the National Disability Strategy Implementation Group (comprising of eleven Government Departments; the City and County Managers' Association; the national Disability Authority; and the National Disability Stakeholder group). A National Disability Strategy implementation plan was published in July 2013. The plan includes formal monitoring procedures.

198. These initiatives are additional to Ireland's anti-discrimination legislative framework and other anti-discrimination initiatives.

199. The key elements of the Strategy are:

(a) The Disability Act, 2005;

(b) The Citizens Information Act 2007, which equips the Citizens' Information Board (formerly Comhairle) to provide a personal advocacy service for people with disabilities;

(c) The Education for Persons with Special Educational Needs Act, 2004;

(d) Sectoral plans prepared by six Government Departments.

200. The Disability Act, 2005 is a cross-cutting piece of legislation and is a positive action measure designed to support the provision of disability-specific services to people with disabilities and to improve access to mainstream public services for people with disabilities. In drafting this legislation, the Government facilitated extensive consultation nationally. Compliance with the Disability Act is a statutory requirement for all Government Departments.

201. The Disability Act, 2005 puts on a statutory footing a wide variety of positive action measures to improve the position of persons with disabilities in Irish society including:

(a) An independent assessment of individual health service needs (and education where appropriate) and a related Service Statement outlining services to be provided with access to independent complaints, appeals and enforcement;

(b) A duty to make public buildings and services accessible, a requirement for six key Government Departments to publish sectoral service delivery plans and a related complaints mechanism with access to the Ombudsman;

(c) An obligation on public bodies to be proactive in employing persons with disabilities. Part 5 of the Act provides for a statutory target, currently set at 3 per cent, for the recruitment and employment of people with disabilities in the public sector. Public

bodies are required to submit annual reports to monitoring committees on their compliance with the target;

(d) Restriction in the use of genetic testing information for employment and insurance purposes; and

(e) The establishment of a Centre of Excellence in Universal Design (CEUD). The CEUD was established in the NDA in early 2007 under Part 6 of the Act. "Universal design" refers to the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by people regardless of their age, size or disability. The mission of the CEUD is to promote the development of that environment.

202. A significant number of sections of the Education for Persons with Special Educational Needs (EPSEN) Act have been commenced, principally those establishing the National Council for Special Education (NCSE) and those promoting an inclusive approach to the education of children with special educational needs. The remaining sections of the Act have yet to be commenced. The Government will develop a plan to implement the objectives of the EPSEN Act so as to deliver improved educational outcomes for students with special needs.

203. It is the Government of Ireland's intention to ratify the Convention on the Rights of Persons with Disabilities as quickly as possible, taking into account the need to ensure that all necessary legislative and administrative requirements under the Convention are being met. Ireland does not become party to treaties until it is first in a position to comply with the obligations imposed by the treaty in question, including by amending domestic law as necessary.

204. The ongoing implementation of Ireland's National Disability Strategy in many respects comprehends many of the provisions of the Convention. In addition, an inter-departmental committee on the Convention monitors the remaining legislative and administrative actions required to enable ratification. The committee has identified as part of its work programme, issues to be considered by various Government Departments and this work is ongoing in all Departments. At the Committee's request, the National Disability Authority, the lead statutory agency for the sector, is assisting the committee to assess the remaining requirements for ratification so as to ensure conclusively that all such issues will be addressed.

205. One of the key requirements in this regard is the enactment of capacity legislation. The Programme for Government contains a commitment to introduce a Bill that is in line with the Convention. The Bill, which was published in July 2013, is based upon the principles enshrined in the Convention on supporting people with impaired capacity in making decisions and exercising their basic rights. The revised title of the Bill, The Assisted Decision - Making (Capacity) Bill, reflects this approach.

Members of the Traveller Community

206. The term "Traveller" in relation to accommodation refers to Irish Travellers as defined in the Equal Status Act 2000:

"Traveller community" means the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland."

207. In a range of legislative, administrative and institutional provisions, the Government has recognized the special position of Ireland's Traveller community – in addition to Equality legislation these include laws to provide for Traveller accommodation by local

authorities and specific Traveller strategies, developed with the input of Traveller organizations, in relation to Health, Education and Accommodation.

208. Travellers in Ireland have the same civil and political rights as other citizens under the Constitution. The key anti-discrimination measures, the Prohibition of Incitement to Hatred Act, 1989, the Unfair Dismissals Acts 1977, the Employment Equality Acts and the Equal Status Acts specifically identify Travellers by name as a group protected. The Equality Act 2004, which transposed the EU Racial Equality Directive, applied all the protections of that Directive across all of the nine grounds contained in the legislation, including the Traveller community ground. All the protections afforded to ethnic minorities in EU directives and international conventions apply to Travellers because the Irish legislation giving effect to those international instruments explicitly protects Travellers.

209. The Government is committed to challenging discrimination against Travellers and has defined membership of the Traveller community as a separate ground on which it is unlawful to discriminate under equality legislation. This was not meant to provide a lesser level of protection to Travellers compared to that afforded to members of ethnic minorities. On the contrary, the separate identification of Travellers in equality legislation guarantees that they are explicitly protected.

Traveller ethnicity

210. During the course of the examination by a working group of the United Nations Human Rights Council of Ireland's report to that Council, prepared under the Universal Periodic Review procedures of the Council, the Minister for Justice and Equality, Mr. Alan Shatter was asked, among many other matters, about the position of Travellers in Irish society. One delegation specifically recommended that Ireland should recognize Travellers as an ethnic minority while other interventions were of a more general nature. The Minister replied that serious consideration is being given to granting such recognition. This consideration is ongoing.

High Level Group on Traveller Issues

211. In December 2003 at the request of an Taoiseach, a High Level Group on Traveller issues was established under the aegis of the Cabinet Committee on Social Inclusion. Its remit, to ensure that the relevant statutory agencies involved in providing for the delivery of Traveller-specific services, would focus on improving outcomes based on the integrated delivery of services at local level. The Group issued a report to Government in March 2006.

212. The Report of the High Level Group on Traveller Issues was approved by the Government in March 2006. A key aspect of the approach recommended by the High Level Group is developing effective coordination of actions among agencies operating under the 34 County and City Development Boards (CDBs), coupled with effective consultation with Travellers and their representatives. Since 2006 Traveller Interagency Groups (TIGs) have been established under each CDB to coordinate the efforts of state agencies and other stakeholders.

National Agreements and Plans

213. The Programme for Government 2011-2016 highlights the need to improve the delivery of services to Travellers. The National Reform Programme for Ireland under the Europe 2020 Strategy lists Travellers among Ireland's most vulnerable groups and states that targeted social inclusion programmes will be aimed at them. The national social partnership agreement between the Government and the social partners, *Towards 2016*, published in 2006 committed to concentrated attention to achieving greater progress for Travellers and also led to the establishment of the National Traveller Monitoring and

Advisory Committee (NTMAC) in 2007. NTMAC comprises representatives of Traveller groups and Government Departments with an independent Chair. National social partnership no longer exists but there is regular dialogue between Ministers and their Departments and sectoral interests. The Government's *National Action Plan on Social Inclusion 2007-2016* contains a range of targets and actions to improve Traveller life experience through the provision of appropriate education, health and housing services and to remove any remaining barriers to the full participation of members of the Traveller community in the work and social life of the country.

Travellers in Education

214. Mainstreaming is one of the 10 key components highlighted in the Intercultural Education Strategy for Irish education. Historically, for example, many Traveller children and children with special needs were educated in segregated settings. *The Report and Recommendations for a Traveller Education Strategy (2006)* covers all aspects of Traveller Education from pre-school right through to further and higher education within a lifelong learning context. The core principle of the report is one of inclusion with an emphasis on equality and diversity and the adoption of an intercultural approach. The principle of "individual educational need" rather than "Traveller identity" will underpin future actions including allocation of resources. The Department's aim is to prioritize available resources to maximum effect across the education sector to enhance educational outcomes for all children and adults including Travellers. In the context of the *Programme for Government: Government for National Recovery 2011-2016* and in keeping with the report, the Government has taken a decision to provide educational teaching supports to Traveller students on the same basis as other students in schools. Additional tuition is provided through the existing learning support provision in schools.

215. The *Survey of Traveller Education Provision in Irish Schools* (2006) found, *inter alia*, that the majority of Traveller children in primary and post-primary school are not achieving at a level equal to their peers in the settled community. Accordingly, while integrated provision is provided in primary and post-primary schools where Travellers participate on an equal basis with other service users. In some cases, however, positive actions are needed as a short-term measure to enable Traveller students to gain the skills and competence on a par with their settled peers so that they can participate equally in mainstream education, training or employment. In order to assist schools with high concentrations of Traveller pupils, following the withdrawal of the resource teaching posts for Travellers, limited alleviation or adjustment measures are being provided. Furthermore, Traveller enrolments have been included in the valid enrolment for the purpose of allocating additional staffing under DEIS from the 2011/12 school year and under the revised General Allocation Model for high incidence special educational needs from the 2011/12 school year.

216. The Department of Education and Skills has established a Traveller Implementation Group which is overseeing the implementation of the recommendations in the report. The Traveller Education Strategy Advisory & Consultative Forum continues to identify issues, including obstacles, to the implementation of recommendations of the Traveller Education Strategy, examining appropriate responses to issues identified and reports to the Department's Traveller Strategy Implementation Group to highlight key issues of concern.

Traveller Accommodation

217. Government policy in relation to the accommodation of Travellers is implemented through the Housing (Traveller Accommodation) Act 1998. All relevant local authorities are obliged, under the Act, to adopt and implement multi-annual Traveller accommodation programmes, with the aim of improving the rate of provision of accommodation for

Travellers. The first round of Traveller accommodation programmes covered the period 2000 to 2004. The second programmes covered the four-year period 2005 to 2008. In early 2009 local authorities adopted a third round of accommodation programmes which will cover the period 2009 to 2013. A fourth round is due to commence in 2014 and it is expected that the next round of Traveller Accommodation Programmes will run from 1 January 2014 to 31 December 2018.

218. The Housing (Traveller Accommodation) Act 1998, places a strong emphasis on consultation with all parties concerned. Traveller accommodation programmes are required to be prepared in consultation with other public authorities, community and other bodies, Travellers, via the local consultative committee, and the public in general. Travellers participate on advisory committees concerning Traveller accommodation at both national and regional level through the National Traveller Accommodation Consultative Committee and Local Traveller Accommodation Consultative Committee.

219. Significant funding has been made available for the provision of Traveller-specific accommodation. In the period covered by the first programmes (2000 to 2004), €130 million was expended on such accommodation (new and refurbished). In the period covered by the second programme (2005 to 2008), an additional €142.55 million was spent on the provision of Traveller specific accommodation. €49.026 million has been spent in the period 2009 – 2012. The third programme is due to expire at the end of 2013. Accommodation expenditure for Travellers availing of standard local authority accommodation is provided separately through the Department of Environment, Community and Local Government's Social Housing Division. Any eligible person in the State may apply to their local authority for standard local authority housing. Standard housing is allocated by local authorities on the basis of a scheme of letting priorities and Travellers have the same access to standard housing as the general population.

220. There has been a significant increase in the number of families living in private rented accommodation demonstrating that the private rental market has become much more open to Traveller tenants. A considerable majority (95 per cent) of the 2,829 families recorded as living in private rented accommodation receive assistance in meeting their accommodation costs either through the payment of rent supplement (by the Department of Social Protection) or through the Rental Accommodation Scheme. With the number of families accommodated using the Rental Accommodation Scheme continually increasing, private rented accommodation has become a viable and more secure long term accommodation option. Travellers living in private rented accommodation remain on their local authority housing list and are offered permanent accommodation in line with their needs assessment and the local authority's allocation scheme.

221. In 2014, the local authorities will be required to adopt new Traveller Accommodation Programmes. Relevant housing authorities will commence the process of identifying the accommodation needs of Traveller families to be met under the new programmes. This must relate to the existing accommodation needs and need that will arise during the period of the programmes across a range of accommodation options including standard and group housing, permanent residential sites for caravans and transient sites provided directly by the housing authority or by approved housing bodies or individuals, with or without the assistance of the housing authority. Each programme will contain annual targets and local authority performance is monitored, through annual progress reports, by the Department of Environment, Community and Local Government and the National Traveller Accommodation Consultative Committee.

222. Travellers are free to express a preference for either Traveller specific accommodation or general social housing under the mandatory social housing assessment process carried out by Local Authorities. Local Authority Traveller Accommodation Programmes are informed by this Assessment of Housing Need and show that the vast

majority of Travellers have opted for standard housing or group housing. It should also be noted that the majority of Travellers already live in standard housing, either in standard local authority housing, private rented housing, in houses provided from their own resources or in private houses with the assistance of their local authority. Although some Traveller support groups argue that local authorities are not providing sufficient halting site accommodation, the Assessment of Housing Need shows that the demand for sites has declined considerably. The Department of Environment, Community and Local Government has also received a number of requests, from Traveller residents, for the conversion of existing halting sites into group housing schemes.

223. Responsibility for the provision of Traveller accommodation, including transient sites, rests with individual housing authorities. The Housing (Traveller Accommodation) Act, 1998 specifically requires local authorities to have regard to the provision of transient sites when preparing their Traveller Accommodation Programmes. In August 2008, the Department of the Environment, Community and Local Government issued a memorandum to all local authorities requesting them to have regard to the need for transient sites in the preparation, adoption and implementation of their Traveller Accommodation Programmes for the period 2009-2013. The issue of transient sites was considered by the third National Traveller Accommodation Consultative Committee and is also included on the work programme of the fourth Committee.

224. The fifth National Traveller Accommodation Consultative Committee is due to be appointed by the Minister for Housing in 2013. The new committee will run from 2013 to 2016. Its membership comprises government officials and Traveller representatives. Its governing legislation places a strong emphasis on consultation with all parties concerned. Therefore, Traveller accommodation programmes must be prepared in consultation with other public authorities, community and other bodies, Travellers via their local consultative committee, and the public in general.

225. Each local authority formed a new Local Traveller Accommodation Consultative Committee in 2014. Their membership consists of Travellers and Traveller support group members, elected members of the local authority and local authority officials.

Traveller Health Care

226. Traveller health and the provision of health services for Travellers is a priority for the Department of Health in partnership with the Health Service Executive, and considerable work has been undertaken in this area. Funding allocations for Traveller specific health services has risen to over €9.5 million per year. A wide range of specific Traveller dedicated health services, such as Traveller Health Units and Primary Health Care Projects, have been developed. Structures have been put in place to ensure the effective delivery of services.

227. The Traveller Health Advisory Committee (THAC) advises the Minister for Health on policy in relation to Traveller health. The Committee comprises of representatives of the Department of Health, the Department of Justice and Equality, the Health Service Executive, Travellers and Traveller organizations. In addition, Traveller Health Units operate in each Health Service Executive area. The units comprise representatives from Health Service Executive management and Traveller representatives. These units work in partnership with local Traveller organizations and the Travelling community. The significant investment in Traveller health has also allowed for the appointment of designated Public Health Nurses for Travellers and the roll out of Primary Health Care for Travellers projects which established a model for Traveller participation in the development of health services.

228. "Traveller Health – A National Strategy 2002-2005" was developed by the THAC and published in February 2002 with the aim of improving the health status of Travellers. Although the life-term of the Strategy has expired it still guides policy in the area.

229. A key element of the approach taken to provide targeted health services to Travellers was the development of a model for Traveller participation in the development of health services. This was achieved through the Primary Healthcare for Travellers Projects which play a key role in the delivery of health services to Travellers. The Projects are peer led initiatives and play an invaluable role in delivering measures aimed at improving the health status of the Traveller community.

230. Travellers, mostly Traveller women, are recruited from the Traveller community and trained to work as Community Health Workers in the Projects. This allows primary health care to be developed based on the Traveller community's own values and perceptions so that positive, long-term outcomes can be achieved by enabling individuals to improve their health through informed health care, self-help and mutual aid. The Projects are credited with bringing real and substantial benefits to the Traveller communities where they are located. The Projects began in 1994 and now there are over 40 projects involving over 450 participants. The core training modules for Primary Healthcare for Travellers Projects were awarded accreditation at FETAC level 3 in 2008.

231. The commitment to Traveller health is also reflected in the significant resources allocated to the commissioning of the *All Ireland Traveller Health Study*, the findings of which were published on 2 September 2010. It was the first such study of the health status of Travellers since 1987 and the first that involved Travellers from both the North and South of Ireland. It was jointly funded by the Department of Health in Ireland and the Department of Health, Social Services and Public Safety in Northern Ireland and supported by the Health Service Executive.

232. One of the key findings from the study is that Travellers of all ages continue to have much higher mortality rates than people in the general population, with Traveller men now living on average 15 years less than men in the general population and Traveller women living on average 11.5 years less than women in the general population. Deaths from respiratory diseases, cardiovascular diseases and suicides were more markedly increased in Travellers compared to the general population. Among the positive results from the study were evidence of good access to health services and improvements in Traveller women's health.

Refugees and Asylum Seekers

233. Ireland's asylum system is based on a number of key principles:

(a) Meeting our obligations under international law such as the 1951 Convention Relating to the Status of Refugees;

(b) Ensuring that persons who are found, after a fair and efficient determination process, not to be in need of protection are returned to their countries of origin as quickly as this can be arranged;

(c) Ensuring that we have robust systems in place to prevent abuse in our protection system by persons who are entering the State for purposes other than seeking protection from persecution.

234. The processing of asylum applications and other applications for leave to remain takes place within a well defined national and international (1951 Refugee Convention, EU Directives and Regulations) legal framework which must be complied with. Accordingly all applications for refugee status are examined in accordance with the statutory requirements set out in the Refugee Act 1996 and the various statutory instruments governing the

processing of applications. Where it is established that a well-founded fear of persecution exists, the applicant will be granted refugee status.

235. The Refugee Act, 1996 (as amended) was commenced in full on 20 November 2000. The Act placed the procedures for processing applications for refugee status on a statutory footing and resulted in the establishment of two independent offices which make recommendations to the Minister for Justice and Equality on whether such status should be granted:

(a) a Refugee Applications Commissioner to deal with applications at first instance;

(b) a Refugee Appeals Tribunal to deal with appeals against negative recommendations of the Refugee Applications Commissioner.

236. The scope of the Act is wide-ranging and, as well as dealing with first instance decisions and appeals, also covers the right to legal representation and interpretation and provides specifically for a direct contribution to be made by the Office of the United Nations High Commissioner for Refugees to the asylum determination process.

237. On 10 October 2006, the European Communities (Eligibility for Protection) Regulations, 2006 were signed into domestic law. The Regulations give full effect in Irish law to the provisions of Council Directive 2004/83/EC on minimum standards for the qualifications and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted.

238. On 1 March 2011, the European Communities (Asylum Procedures) Regulations 2011 and the Refugee Act 1996 (Asylum Procedures) Regulations 2011, came into effect for the purpose of giving further effect in Irish law to the Directive on minimum standards on procedures in member States for granting and withdrawing refugee status (Council Directive 2005/85/EC: "The Asylum Procedures Directive").

239. The Legal Aid Board operates a specialized service which provides independent, confidential legal advice and assistance at all stages of the asylum process to persons applying for asylum in Ireland. Applicants may register with the Board at any stage of the asylum process – initial application, appeal stage and, post-asylum, in relation to matters such as applications for humanitarian leave to remain.

240. The number of asylum applications received for each year since 1998 are shown below. It will be noted that application volumes have dropped year on year since 2002 when volumes peaked at 11,634. The number of asylum applications received in 2012 was 956 which represents a 25.9 per cent decrease on the 2011 figure and is the lowest annual total since 1995.

1998	4,626	2003	7,900	2008	3,866
1999	7,724	2004	4,766	2009	2,689
2000	10,938	2005	4,323	2010	1,939
2001	10,325	2006	4,314	2011	1,290
2002	11,634	2007	3,985	2012	956

241. At the end December 2012, there were 219 asylum applications on hand in the Office of the Refugee Applications Commissioner (ORAC) whereas there were 602 appeal cases pending in the Refugee Appeals Tribunal (RAT).

242. In 2012, the Minister made 1,023 decisions relating to refugee status. The median processing time from the date of the initial asylum application at ORAC, through the appeal

stage at RAT, to a final decision by the Minister was 8.3 months in 2012. Processing times are determined by a range of factors such as the increasing complexity of the caseload and sometimes judicial review proceedings.

243. Persons who are refused asylum enter what is commonly referred to as the "leave to remain" process under Section 3 of the Immigration Act 1999. This is separate to the asylum or refugee status determination process.

244. The leave to remain process involves consideration of applications for subsidiary protection and other reasons which a failed asylum seeker may present for remaining in the State. The processing of such cases is complex and extremely resource intensive and must be done in strict compliance with the Constitution, together with relevant international treaties, such as the European Convention on Human Rights.

245. INIS continues to examine ways to improve processing and in accordance with the specific commitment in the Programme for Government to *"...introduce comprehensive reforms of the immigration, residency and asylum systems, which will include a statutory appeals system and set out rights and obligations in a transparent way"*. The Immigration, Residence and Protection Bill which the Minister intends to re-publish should substantially simplify and streamline the existing arrangements for asylum and Subsidiary Protection by the introduction of a Single Procedure so that applicants can be provided with a final decision on their application in a more straightforward and timely fashion.

246. Pending the enactment and commencement of the new legislation and with a view to improving processing in the area of international protection, it is proposed to introduce new arrangements for the processing of subsidiary protection applications in light of recent judgments in the Superior Courts. The Department of Justice and Equality, in consultation with the Attorney General's Office, is developing a new legislative and administrative framework for the processing of current and future subsidiary protection applications.

247. In addition, and with a view to streamlining the management and processing by the Courts of applications for judicial review in the asylum and immigration areas, it is proposed to bring forward proposals to amend the statutory provisions relating to judicial review which are set out in the Illegal Immigrants (Trafficking) Act 2000.

248. Decisions to Grant or Refuse Refugee Status at first instance (ORAC) and Appeal State (RAT) 2006 – 2012:

Year	*Decisions to Grant Refugee Status*	*Decisions to Refuse Refugee Status*	*Total Decisions*	*Grant Rate*
2006	648	5,461	6,109	10.6%
2007	581	4,964	5,545	10.5%
2008	588	5,934	6,522	9.0%
2009	363	6,398	6,761	5.4%
2010	153	4,465	4,618	3.3%
2011	132	2,698	2,830	4.9%
2012	92	931	1,023	9.0%
Total	2,557	30,851	33,408	7.6%

249. The recognition rate for 2012 was just over 9 per cent. The trend in the surrounding years serves to illustrate that recognition rates can go up and down commensurate with the merits or otherwise of the applications presented. This point is further illustrated by reference to the grant rate to date in 2013 (Jan-May) which stands at 19.4 per cent.

250. Applications for refugee status in the State are assessed at first instance by the Office of the Refugee Applications Commissioner in accordance with a prescribed legal framework and exclusively on their merits having regard to their subjective and objective elements.

251. In 90 per cent of the decisions reached by the Refugee Appeals Tribunal in 2012, the recommendations of the ORAC were upheld. This is in line with the percentage of ORAC decisions upheld on appeal over the previous five years.

Racism

252. The Government of Ireland is committed to promoting policies which integrate minority ethnic groups in Ireland, and which promote social inclusion, equality, diversity and the participation of immigrants in the economic, social, political and cultural life of their communities. A significant level of activity is taking place in pursuit of this commitment.

253. A number of key departments and agencies have developed specific strategies to ensure that their services respond to Ireland's changed demographic in an inter-culturally competent and inclusive manner. The strategies developed include: an Intercultural Health Strategy; an Intercultural Education Strategy; a Cultural and Arts Policy and Strategy; the Garda Síochána (Police Service) Diversity Strategy; and an Action Strategy for Integrated Workplaces.

254. Between 2008 and 2012, the Office for the Promotion of Migrant Integration gave grant funding of €12,607,210 for integration purposes. The table below gives a broad breakdown of funding over the five year period:

Office for the Promotion of Migrant Integration: Funding from 2008 - 2012

National Sporting Organizations	€1,760,941
City/ County Councils	€3,282,027
Faith-based Organizations	€93,600
Integration Funds, Grants to Other Organizations	€7,470,642
Total	€12,607,210

255. The Office for the Promotion of Migrant Integration also developed a website which was launched in 2009. This website provides migrants with access to information on a wide range of relevant topics including developments in the area of integration/diversity management, information for migrants as well as the responsible bodies in place who deal with reports of racist incidents or discrimination.

256. The HSE National Intercultural Health Strategy 2007 – 2012 provided a framework within which the health and care needs of people from diverse cultures and ethnic backgrounds should be addressed, with staff supported in delivering responsive, culturally competent services.

257. A comprehensive whole of government strategy, "Healthy Ireland", was launched in 2013 which aims to improve the health and well being of all people in Ireland and contains a strong commitment to getting better health outcomes for those people from disadvantaged communities. It aims to do this by improving cross-government and inter-agency working and by working in partnership with key stakeholders, and by improving the monitoring of health outcomes. A programme of more detailed work to achieve this is now in the process of being developed.

258. Implementation of the recommendations of the strategy took place on a phased basis over a five-year time frame. Priorities that have been addressed are translation of information, work around developing standardized models of interpretation and staff learning and support. Within these areas, the approach taken is one of mainstreaming, where actions are aimed at enhancing access for all service users on an equal basis.

259. Following a commitment given at the World Conference against Racism in Durban in 2001, the Strategic Monitoring Group for the National Action Plan Against Racism was established. In January 2005, the Taoiseach and the Minister for Justice, Equality and Law Reform launched their report *Planning for Diversity- the National Action Plan Against Racism 2005- 2008*, which, *inter alia*, contained 10 outcomes for the education sector, one of which was "to develop a national intercultural education strategy with reference to equality/diversity policy".

260. In 2008 the Minister for Education and Skills and the Minister of State for Equality, Integration and Human Rights were tasked with the development of an intercultural education strategy. An extensive consultation process was undertaken and the "Intercultural Education Strategy, 2010 – 2015" was developed. The Intercultural Education Strategy (IES) aims to ensure that:

(a) All students experience an education that "respects the diversity of values, beliefs, languages and traditions in Irish society and is conducted in a spirit of partnership" (Education Act, 1998); and

(b) All education providers are assisted with ensuring that inclusion and integration within an intercultural learning environment become the norm.

The IES was developed in recognition of the significant demographic changes in Irish society, which are reflected in the education system. The Strategy builds on existing work in this area and seeks to be of relevance for all sectors of education, in line with the high level goal of the Department of Education and Skills to "support and improve the quality, relevance and inclusiveness of education for every learner in our schools".

261. The Office for the Promotion of Migrant Integration, Department of Justice and Equality, has responsibility for leading and coordinating work relating to the integration of legally resident immigrants. While primary core funding for integration is spent by mainline Departments who provide services on a mainstream basis, the Office for the Promotion of Migrant Integration provides seed funding in key areas to facilitate integration and to address racism.

Selected statistical annexes

Table 1

Recorded crime incidents and percentage change by offence group, annualized total Q4 2011 and 2012

ICCSq offence group	Annualized total to Q4			%
	2011	2012	Change	Change
Homicide offences	66	78	+ 12	+ 18.2
Sexual offences	2,014	2,059	+ 45	+ 2.2
Attempts or threats to murder, assaults, harassments and related offences	17,062	15,313	-1,749	- 10.3
Dangerous or negligent acts	9,946	9,012	- 934	- 9.4
Kidnapping and related offences	109	98	- 11	- 10.1
Robbery, extortion and hijacking offences	2,932	2,818	- 114	- 3.9
Burglary and related offences	27,695	27,774	+ 79	+ 0.3
Theft and related offences	76,975	76,549	- 426	- 0.6
Fraud, deception and related offences	5,370	5,544	+ 174	+ 3.2
Controlled drug offences	17,695	16,471	-1,224	- 6.9
Weapons and explosives offences	3,484	3,011	- 473	- 13.6
Damage to property and to the environment	35,575	32,609	-2,966	- 8.3
Public order and other social code offences	49,060	43,780	-5,280	- 10.8
Offences against Government, justice procedures and organization of crime	10,178	8,852	-1,326	- 13.0

Table 2
Indicators of income inequality by year

	2007	*2008*	*2009*	*2010*	*2011*
	%	%	%	%	%
Gini coefficient (%)	31.7	30.7	29.3	31.6	31.1
At risk of poverty threshold	€	€	€	€	€
60% of median income	11,890	12,455	12,064	11,155	10,889

Table 2
Share of (household) consumption expenditures on food, housing, health and education

	Food	*Housing*	*Health*
Sex of Household Reference Person			
Male	18.3	22.3	3.1
Female	15.7	19.5	2.5
Age Category of Household Reference Person			
Under 25 years	16.0	26.5	1.7
25 to 34 years	14.3	25.5	1.9
35 to 44 years	14.7	21.9	2.3
45 to 54 years	15.9	15.6	2.9
55 to 64 years	16.3	12.9	3.5
65 years & over	20.5	11.1	3.7
Location			
Urban	15.6	19.6	2.6
Rural	17.2	15.7	2.7
Gross Household Income Decile			
1st Decile <=238.00	18.8	20.3	2.1
2nd Decile -381.12	19.2	20.6	1.7
3rd Decile -494.88	20.2	19.1	1.7
4th Decile -626.68	19.7	19.2	2.1
5th Decile -784.68	18.4	18.3	2.3
6th Decile -976.24	17.2	18.5	2.7
7th Decile -1,218.10	16.0	18.0	2.7
8th Decile -1,541.05	15.6	18.2	2.9
9th Decile -2,047.67	14.8	16.0	3.3
10th Decile >2,047.67	12.9	18.2	3.1
Region			
Border	16.7	17.0	2.0
Dublin	14.8	20.9	2.9

	Food	*Housing*	*Health*
Mid East	15.6	19.1	3.0
Mid West	16.8	15.5	3.2
Midlands	18.2	17.3	2.7
South East	17.0	16.7	2.2
South West	16.9	16.2	2.8
West	17.7	17.1	2.2
Tenure status			
Owned outright	18.9	7.3	3.7
Owned with mortgage	13.9	22.5	2.7
Rented from local authority	21.2	14.5	1.1
Rented from private owner	16.2	26.3	1.5
Rent free	18.8	4.6	3.2
Livelihood Status of Reference Person			
Self employed	16.2	16.4	3.2
Employee1	14.5	19.2	2.7
Unemployed	18.9	20.9	1.4
Retired	19.9	11.0	3.4
Other	19.1	19.3	2.3
Household Composition			
1 adult	15.3	23.1	2.3
1 adult with children	17.3	23.8	1.3
2 adults	15.7	17.9	2.8
2 adults with 1-3 children	15.2	22.4	2.3
3 + adults	17.2	13.1	3.1
Other households with children	17.1	16.4	2.8
Household Size			
1 Person	15.3	23.1	2.3
2 Persons	15.7	18.3	2.7
3 Persons	16.5	17.5	2.7
4 Persons	16.4	17.4	2.8
5 Persons	16.8	17.2	2.5
6 + Persons	16.9	16.9	2.9
State	16.2	18.2	2.7

Table 4
Population, estimated number of households and estimated number of persons per house

	Q1 '11	*Q2 '11*	*Q3 '11*	*Q4 '11*	*Q1 '12*	*Q2 '12*	*Q3 '12*	*Q4 '12*	*Q1 '13*	*Q2 '13*
Total population (thousands)	4,571.3	4,576.1	4,579.7	4,581.5	4,584.2	4,585.9	4,593.3	4,597.3	4,598.6	4,593.8
Number of households (thousands)	1,657.0	1,662.7	1,665.7	1,671.1	1,669.1	1,668.3	1,679.9	1,687.5	1,687.0	1,690.1
Average number of persons per household	2.76	2.75	2.75	2.74	2.75	2.75	2.73	2.72	2.73	2.72

Table 5
Estimated adult members of family units classified by composition of family unit, ILO Economic Status and sex[5]

Family unit type/ILO Economic Status/Sex	*Q2 11*	*Q3 11*	*Q4 11*	*Q1 12*	*Q2 12*	*Q3 12*	*Q4 12*	*Q1 13*	*Q2 13*
Couple without children									
In employment									
Male	194.7	192.2	195.9	191.4	190.2	191.4	197.9	196.2	191.5
Female	174.8	172.7	175.0	172.0	167.5	167.3	165.6	166.3	167.0
Total	369.4	365.0	370.9	363.4	357.7	358.7	363.5	362.5	358.5
Unemployed									
Male	23.3	21.3	22.1	23.2	22.3	19.6	19.7	19.5	20.4
Female	13.1	13.4	12.1	14.5	12.6	14.4	13.1	14.4	11.2
Total	36.3	34.7	34.1	37.7	34.9	34.0	32.8	33.9	31.6
Not in the labour force									
Male	157.2	162.3	166.1	167.8	167.5	172.7	170.0	173.3	171.2
Female	179.5	183.4	191.3	189.6	191.9	195.8	204.4	202.1	201.0
Total	336.7	345.7	357.4	357.3	359.5	368.5	374.4	375.3	372.2
Total									

[5] Note: For the purpose of this table, an adult is either a lone parent or a member of a couple. Never married persons (regardless of age) living with a parent or parents are defined as children provided those persons are themselves not part of a separate family unit. In addition, users should note that the adjustment factors assigned to each spouse within a family unit may differ.

Family unit type/ILO Economic Status/Sex	*Q2 11*	*Q3 11*	*Q4 11*	*Q1 12*	*Q2 12*	*Q3 12*	*Q4 12*	*Q1 13*	*Q2 13*
Male	375.1	375.8	384.1	382.3	380.0	383.7	387.6	388.9	383.1
Female	367.4	369.6	378.3	376.1	372.0	377.5	383.1	382.8	379.1
Total	742.5	745.3	762.4	758.5	752.0	761.2	770.7	771.7	762.3
Couple with children									
In employment									
Male	500.1	497.4	497.2	498.1	503.5	511.0	506.7	512.3	520.3
Female	372.4	364.6	373.6	370.8	370.8	371.8	374.6	374.1	377.9
Total	872.5	862.0	870.8	869.0	874.3	882.8	881.3	886.4	898.1
Unemployed									
Male	80.6	80.3	80.4	86.6	83.5	84.3	78.6	76.6	71.5
Female	33.6	39.4	34.7	38.6	36.3	38.6	35.5	37.2	38.8
Total	114.2	119.7	115.1	125.3	119.8	122.9	114.0	113.8	110.3
Not in the labour force									
Male	97.0	97.1	96.5	93.2	93.5	91.2	93.5	89.2	85.4
Female	253.4	252.7	252.5	248.7	247.2	250.7	244.8	244.5	244.1
Total	350.3	349.8	349.1	341.9	340.7	341.9	338.3	333.7	329.4
Total									
Male	677.8	674.8	674.1	678.0	680.4	686.5	678.8	678.1	677.2
Female	659.3	656.6	660.9	658.2	654.2	661.1	654.9	655.8	660.7
Total	1,337.1	1,331.4	1,335.0	1,336.2	1,334.7	1,347.6	1,333.7	1,333.9	1,337.9
Lone parent									
In employment									
Male	11.5	10.6	10.9	10.4	10.4	11.5	11.3	10.1	11.8
Female	85.9	85.5	86.7	84.7	87.0	84.3	88.5	87.2	87.4
Total	97.4	96.0	97.6	95.0	97.4	95.8	99.8	97.4	99.2
Unemployed									
Male	[3.8]	[4.0]	4.6	[4.1]	[3.2]	[3.1]	[2.7]	[3.4]	[3.3]
Female	17.3	20.2	19.8	19.9	18.2	19.1	19.0	19.8	20.4
Total	21.0	24.2	24.4	24.0	21.4	22.3	21.7	23.3	23.7
Not in the labour force									
Male	11.8	11.6	11.2	11.6	12.8	12.2	12.9	11.5	11.7
Female	95.7	100.2	96.0	96.6	97.5	96.7	92.3	88.8	84.2
Total	107.5	111.8	107.2	108.2	110.3	109.0	105.3	100.3	95.9
Total									
Male	27.0	26.1	26.7	26.0	26.4	26.8	27.0	25.1	26.7
Female	198.8	205.9	202.6	201.2	202.7	200.2	199.9	195.9	192.1
Total	225.9	232.0	229.3	227.2	229.1	227.1	226.8	221.0	218.8

Family unit type/ILO Economic Status/Sex	*Q2 11*	*Q3 11*	*Q4 11*	*Q1 12*	*Q2 12*	*Q3 12*	*Q4 12*	*Q1 13*	*Q2 13*
All family units									
In employment									
Male	706.2	700.2	704.0	699.9	704.0	713.9	715.9	718.6	723.6
Female	633.1	622.8	635.4	627.5	625.3	623.5	628.7	627.7	632.3
Total	1,339.3	1,323.0	1,339.4	1,327.4	1,329.3	1,337.3	1,344.7	1,346.3	1,355.9
Unemployed									
Male	107.7	105.6	107.0	113.9	109.0	107.0	101.1	99.5	95.2
Female	63.9	73.0	66.6	73.1	67.1	72.1	67.5	71.5	70.4
Total	171.6	178.5	173.6	187.0	176.1	179.2	168.6	171.0	165.5
Not in the labour force									
Male	266.0	270.9	273.8	272.6	273.8	276.1	276.4	274.0	268.3
Female	528.5	536.3	539.8	534.9	536.7	543.2	541.6	535.4	529.3
Total	794.5	807.2	813.6	807.4	810.4	819.4	818.1	809.3	797.6
Total									
Male	1,079.9	1,076.7	1,084.9	1,086.4	1,086.8	1,097.0	1,093.4	1,092.2	1,087.0
Female	1,225.5	1,232.0	1,241.8	1,235.5	1,229.0	1,238.9	1,237.9	1,234.5	1,231.9
Total	2,305.4	2,308.7	2,326.6	2,321.9	2,315.8	2,335.9	2,331.3	2,326.6	2,319.0

Table 6

Persons aged 18-64 classified by ILO Economic Status, age, highest level of educational attainment and sex[6]

Age group/Highest education level attained/Sex/ILO Economic Status	*Q2 11*	*Q3 11*	*Q4 11*	*Q1 12*	*Q2 12*	*Q3 12*	*Q4 12*	*Q1 13*	*Q2 13*
Persons aged 18-24									
Early leavers from education and training aged 18-24									
Male									
In employment	26	22	25	22	27	23	27	31	35

[6] Note: Percentage unemployed is shown as persons unemployed as percentage of all persons in population, *i.e.* not comparable to unemployment rate. Persons whose educational situation is unknown or not stated are not included. Early leavers from education and training are defined as persons aged 18-24 whose highest level of education attained is lower secondary or below and who have not received education (either formal or non-formal) in the four weeks prior to the survey. The definition applied corresponds to that applied by the European statistical office (Eurostat) since Q1 2010 and for comparison purposes this definition has also been used to derive the indicator for periods prior to this.

Age group/Highest education level attained/Sex/ILO Economic Status	*Q2 11*	*Q3 11*	*Q4 11*	*Q1 12*	*Q2 12*	*Q3 12*	*Q4 12*	*Q1 13*	*Q2 13*
Unemployed	45	49	48	52	47	47	44	40	39
Not in the labour force	29	29	27	26	27	31	29	30	27
Female									
In employment	26	22	23	21	24	21	27	29	22
Unemployed	22	20	20	29	23	22	23	22	23
Not in the labour force	53	59	58	50	52	57	51	49	55
All persons									
In employment	26	22	24	22	26	22	27	30	30
Unemployed	36	37	36	43	37	36	35	32	33
Not in the labour force	38	42	40	36	38	42	38	38	38
Other persons aged 18-24									
Male									
In employment	40	42	41	36	38	41	39	39	40
Unemployed	17	18	17	16	19	19	16	14	17
Not in the labour force	43	40	42	49	43	40	45	47	43
Female									
In employment	45	44	43	43	43	45	43	40	43
Unemployed	12	12	11	10	14	14	10	10	14
Not in the labour force	44	44	46	47	43	42	47	49	43
All persons									
In employment	42	43	42	39	41	43	41	39	42
Unemployed	14	15	14	13	16	16	13	12	15
Not in the labour force	43	42	44	48	43	41	46	48	43
Persons aged 25-64									
Persons aged 25-64 with lower secondary or below as highest level of education									
Male									
In employment	54	53	52	52	51	52	52	55	56
Unemployed	18	18	18	20	19	20	19	18	17
Not in the labour	28	29	30	29	30	28	29	28	27

Age group/Highest education level attained/Sex/ILO Economic Status	*Q2 11*	*Q3 11*	*Q4 11*	*Q1 12*	*Q2 12*	*Q3 12*	*Q4 12*	*Q1 13*	*Q2 13*
force									
Female									
In employment	35	34	34	33	33	32	32	33	33
Unemployed	6	6	6	7	6	6	5	6	6
Not in the labour force	59	60	60	61	62	62	62	61	61
All persons									
In employment	46	45	44	43	43	43	43	45	46
Unemployed	13	13	13	14	13	14	13	13	12
Not in the labour force	42	43	43	43	44	43	44	42	42
Other persons aged 25-64									
Male									
In employment	78	78	78	78	78	78	79	78	78
Unemployed	12	12	12	12	12	12	11	11	11
Not in the labour force	10	10	10	10	10	10	11	11	11
Female									
In employment	69	68	69	68	69	68	68	68	68
Unemployed	6	7	6	7	6	7	6	7	7
Not in the labour force	26	25	25	26	25	26	25	26	25
All persons									
In employment	73	73	73	73	73	73	73	73	73
Unemployed	9	9	9	9	9	9	8	9	9
Not in the labour force	18	18	18	18	18	18	18	19	18